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THE SUPREME COURT AND "THE MOMENT OF TRUTH"*

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This annual ceremony of our non-partisan ssociation is being held at a time when most olitical scientists are preoccupied with the vents of a fateful national election. To avoid ny implications of partisanship, it seems best n this occasion to eschew politics in the conentional sense and to concentrate on instituional analysis not applicable to the current onflict. This discussion will therefore deal ith the Supreme Court and with the Court rimarily as an institution, rather than with roblems of changing personnel or the political nplications of particular decisions. It will ssume that institutions are important in terms f their intrinsic nature and that the kind of stitution to be used for a particular governental task depends largely on the kind of task o be performed, with room for exceptions in xceptional circumstances. So it is that the ourt will be presented not in isolation but as a art of the judicial system at whose apex it tands, and will be discussed in terms of the ssumptions which lie back of and dictate its ituals, routines and procedures, and which ave a great deal to do with determining its fficacy for the tasks allocated to it.

Because analysis of hallowed institutions and itualized performance is often incorrectly lentified with the expression of hostility or isrespect, with only deference permitted on he part of him who would leave the ritual or he institution with the stature it had when he pproached it, let me emphasize that the purose here is not to attack or to disparage but to nalyze and to encourage further analysis, with reative ends in view. Political scientists as ritics of all aspects of government have an bligation to do more than merely defer where our courts are concerned, even at the risk of the dispelling of halo, but it behooves them to make clear their ends and aims in order to avoid misunderstanding. The intent in this discussion is to highlight the intellectual procedures involved in the hybrid performance of deciding cases and at the same time shaping the development of law, with an invitation to discriminating thought about the judicial process as distinguished from legislative and executive processes in American government.

A further intent is to express enthusiasm for the efforts of those of our profession who are likewise delving into institutional subject matter. Political scientists, in order to deal effectively with the materials of the judicial process, must look at the process for what it traditionally has been and for what it is at its core, and not merely for what it is at its periphery, as we have too often done. To state the point negatively, we must not assume that the judicial process is "merely politics," unless we are willing to define "politics" with such breadth as to deprive it of much of its precise meaning or of its meaning as held in popular understanding. Particularly we must not define the judicial process as merely politics and then, as did the author of a much-discussed work a few years ago at one of our annual meetings when goaded for definition by some of our colleagues, define politics as "shenanigans." The work of the Supreme Court clearly involves politics, and at times politics in the form of "shenanigans," but it involves a great deal more, and the "more" as well as the politics is subject matter for political science.

I

Along with such other characteristics as it may incidentally possess, a court in our judicial tradition is an institution which determines the facts involved in particular controversies brought before it, relates the facts to the relevant law, settles the controversies in terms of the law, and more or less incidentally makes new law through the process of decision. Over the centuries of Anglo-American history our judiciary has been developed and geared to this process so that it has an integrity or integratedness peculiarly its own. In particular it has a mode of informing the minds of the responsible officers—in this instance the judges—which is unique and which must be kept in sharp focus in any attempt to estimate the capacity of a judiciary to perform competitively in the gray areas which lie between it and institutions which are primarily legislative or executive. Our profession has analyzed backwards and forwards and at various other angles the rituals and procedures and particular proceedings whereby legislative bodies and executives and administrative organizations arrive at decisions and carry those decisions into effect. Over against such studies we need to portray the methodology calculated to exclude from the decision-making process things irrelevant and therefore corrupting, as antiseptic practices in our hospitals ward off invasions of germs, and to bring judicial minds to the peak of concentration needed for the right decision of the case at hand.

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* Presidential address, delivered before the merican Political Science Association in New ork City, September 8, 1960.

Tracing all the way back through the Anglo-American legal tradition and into our Roman law heritage as well,[1] we note that the basic structure for informing the judicial mind and bringing it to the peak of decision—and this includes the mind of the jury where the jury is a component part of the court—has been what lawyers call the adversary proceeding.[2] The court determines rights, or guilt or innocence as the case may be, only after the case has been shaped into a clash of opposites, and usually only after counsel, by means of briefs or oral arguments or both, have engaged in trial by combat for the illumination of the mind of the court.

Part of our difficulty in getting at the merits and demerits and the peculiar significance of the trial by combat in the court room lies in the reticence or the inarticulateness of judges and other lawyers with respect to it. It has been said that in conferences on professional ethics between lawyers on the one side and philosophers and theologians on the other the "adversary system" was the place where communication broke down. Law students have bee found to be disturbed by it and unable t articulate its proper limits. It is admitted tha "the legal profession is itself generally not ver philosophic about this issue."[3] This lack o articulateness on the part of the legal profes sion about the ends and aims and achievement of the adversary proceeding is a matter fo regret, and it constitutes a serious handica for those who would appraise it not merely a a device for deciding cases but also for definin and developing the pattern of the law.

While an institution thousands of years ol is not necessarily to be judged in its curren operations by what it was long ago, som further reference to history may be helpful fo contemporary appraisal. Deeply entrenched i the minds of our forefathers was the convic tion that the gods, or the one God as the cas might be, intervened in the trial to brin victory to the right. We know that the Nor mans confidently relied on professional cham pions who fought for rival claimants, with th verdict going to the claimant whose champio defeated his opponent. Theodore Plucknet notes in his history of the common law tha when in this period one person brought criminal charge against another, the accuse and the accused fought in person, with grin result. "It was deadly; if the defeated defend ant was not already slain in battle he wa immediately hanged on the gallows which stoo ready."[4]

Over the centuries we have moved a long way from the type of trial wherein the hand of deity was supposed to determine the balance in competitions of brute strength and cunning Courts, by themselves and with the aid o legislatures, have developed and refined pro cedures to shape the course of combat between opposing counsel in a civilized society. During the early years of American history the system of common law pleading held with many judges a respect not unlike that accorded to the Supreme Being. "General rules will sometimes appear harsh and rigorous," said Chief Justice Kent in 1806, "but I entertain a decided opinion that the established principles of pleading which compose what is called the science, are rational, concise, luminous, and admirably adapted to the investigation of truth, and ought, consequently, to be very cautiously touched by the hand of innovation."[5] The rules of procedure became so intricate and required so much technical knowledge on the parts of judges and counsel as to lead to the suspicion that they often did little more than contribute to the playing of intricate games in the court room and had little more to do with justice than earlier displays of physical prowess. A movement for the codification and simplification of procedure swept away a great mass of technicalities. Yet half a century after Chief Justice Kent's paean of praise had been voiced, Justice John A. Campbell approvingly echoed his words.[6]

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[1] See Max Radin, "The Permanent Problems of the Law," *Cornell Law Quarterly*, Vol. 15 (Dec., 1929), p. 6.

[2] See Charles P. Curtis, *It's Your Law* (1954), pp. 1–41.

[3] Lon L. Fuller and John D. Randall, "Professional Responsibility: Report of the Joint Conference," *American Bar Association Journal*, Vol 44 (Dec., 1958), p. 1159.

[4] Theodore F. T. Plucknett, *A Concise History of the Common Law* (5th ed., 1956), p. 117; Curtis *op. cit.*, pp. 2–3.

II

Although the technicalities of common law pleading gradually yielded to legislative and judicial simplification, the basic pattern of trial by combat between counsel for opposing interests, with judicial supervision, remains to this day so firmly entrenched that it is hard for Americans to think of trials according to any other pattern. In a case decided in 1947 Justice Jackson declared that "a common law trial is and always should be an adversary proceeding." He contended that "discovery," a device in the new rules of civil procedure to bring about early disclosure of facts[7] to promote the early sharpening of issues, "was hardly intended to enable a learned profession to perform its functions either without wits or with wits borrowed from the adversary."[8] So it is that the battle between counsel, though not of physique but of wits, remains nevertheless a battle. Although when the trial is ended opposing counsel may companionably head together for the closest bar or restaurant and demonstrate the warmest friendship, during the course of the trial itself they oppose each other with all the skill at their command.

Since this clash of opposing forces is an essential ingredient of court room performance, it behooves us to inquire more fundamentally into the part played by counsel. A distinguished federal district judge has said that "The elementary and cardinal rule for all trial counsel in all cases is thorough preparation for both sides as to the facts and the controlling law."[9] Justice Frankfurter has remarked that lawyers should be "experts in relevance."[10] An author on appellate advocacy contends that the basic responsibility of the advocate is "to present the law and the facts of his particular case so that the court will know what the controversy is about, *and will want to decide in his favor*."[11] He illustrates the latter clause by a comment of Chief Judge Benjamin N. Cardozo, of the New York Court of Appeals, who, having listened to an argument by Charles Evans Hughes, was heard to say, "How can I possibly decide against this man?"[12]

In other words, the obligation to present the facts and the law of the case is hyphenated with the obligation to *win* the case, even though as a matter of fact this obligation can be fulfilled in each case with respect to only one of the parties. Counsel is in a technical sense an officer of the court as well as a professional employee, and he may sense the possibility that the decision of his case may vitally affect the law of the future; but his first allegiance is nevertheless to his client, whether a person, a corporation or a government, and he must win a victory for his client if the victory can be won through the rituals of court room performance.

How do we justify in modern times the support by government of a highly ritualized trial by battle of wits as a device for determining law and facts and the rights depending on them? For the most part we justify it by using it and not talking about it. It is doubtful whether we confidently assume that God intervenes to clarify the thinking and give fluency to the tongue of the counsel who represents the side on which God wants the victory, although it may well be that a sense of rightness as well as a desire to win may serve the cause of a client. The trouble with this assumption is that it may aid at the same time both counsel and both clients, for presumably rare is the advocate who in the course of his advocacy does not persuade himself that right is on his side.

But we presumably rely more heavily on a different factor, the stimulus of self-interest on the part of each litigant. At stake is likely to be the life, or liberty, or property, or authority of the client. For the purposes of each case, counsel absorbs into himself the sense of need for victory. This for him is not just any case, this is not just any situation in which men are involved in molding the law of the future. It is a case which he for personal reasons has to win if victory be possible, whatever the fate of the opposing advocate who from his opposing position feels exactly the same way about it. We seem to assume that demonstration of the depth of caring, which derives from the depth of personal interest, will best inform the court as to the law and the facts, and produce the best decision.

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[5] Malcolm v. Bayard, 1 Johnson (N. Y.) 453, 471 (1806).

[6] Dupont v. Vance, 19 Howard (U. S.) 162, 175 (1857).

[7] See Rule 34, Rules of Civil Procedure, 82 L. ed. 1588.

[8] Hickman v. Taylor, 329 U. S. 495, 516 (1947).

[9] W. Calvin Chesnut, *Sixty Years in the Courts* (1947), p. 65.

[10] Felix Frankfurter, "Personal Ambitions of Judges: Should a Judge 'Think Beyond the Judicial'?" *American Bar Association Journal*, Vol. 34 (Aug., 1948), p. 747.

[11] Frederick Bernays Wiener, *Effective Appellate Advocacy* (1950), p. 228. (Italics supplied)

[12] *Id.*, p. 236.

And what of the position of the judge? He is of course, among other things, a referee between the warring counsel. Charles P. Curtis recorded the anecdote of two prize-fighters who stood in the back of a court room where Chief Justice Lemuel Shaw was presiding. "Christ, what a referee!", one of them is said to have remarked in awe and admiration.[13] As a referee the judge's conduct is supposed to be of the essence of neutrality. A distinguished Italian commentator has said that

> When he is deciding a case the conscience of the judge should be like a blank page on which the episodes of his private life have left no mark; his extra-judicial knowledge and experience may be present only if they lose their episodic significance and assume a broader and more serene social significance, thus turning themselves into "maxims of experience" and becoming part of his general culture.[14]

It would therefore seem that the judge is asked to perform at one and the same time in dual capacities. He is to be active and alert as a referee in keeping counsel performing within the rules of the game, and utterly passive with the potentialities of a *tabula rasa* for the recording of reasoned arguments. He is the referee and the recorder, and then, finally, the engineer of the decision. It is through the clash of opposites in the form of reasoned arguments of counsel, of arguments perhaps impassioned but with passion held under discipline, that his mind is brought to the climax of decision, of completion, of dynamic insight—to the "moment of truth." The combat waged before him brings his mind to the synthesis of diverse elements, to the arrangement of relevant materials, to the point of reaction to the situation as a whole, to the *gestalt*[15] which marks the totality to be derived from the process of the trial. The decision copes with the controversy between the parties, and goes beyond the settlement of the controversy to some degree of restatement of the law. Yet it is to be remembered that this restatement is likely to be structured not in the form of a legislative enactment but in terms of the controversy involved, and conditioned by the formal issues of the proceeding as framed by the pleadings and otherwise. The decision gives us law, but it is law of a peculiar earthiness which follows the configurations of the case before the court.

III

About the climactic process of making judicial decisions as above outlined there is something intriguing for those of us not technically of the legal profession but nevertheless concerned with the making of intellectual syntheses in this and other fields. We know that there are many modes of achieving such syntheses, some of them stemming from careful design and others from the invoking of accident or of laws beyond our ken, from surrender to the unknown workings of the unconscious. Some syntheses are the product of grueling and perhaps uninspired labor, others of alternating periods of work and relaxation. Some arrive to the accompaniment of the scrape of a razor, and others amid or after restful sleep. We know that results are in part the product of self-conditioning. For example, if we learn to work effectively in a particular room and amid particular conditions, we may find it unrewarding to try to work elsewhere.

So it is that, even without the proof supplied by centuries of judicial experience, we can comprehend the fact that the judicial mind can be trained to do its best work amid the competitive and yet disciplined proceedings of the court room. It seems entirely plausible that judges might learn most effectively to grasp the facts and law of particular controversies and arrive at "right" decisions amid the heated clash of argument between opposing counsel, and that the imprint on the mind made at the time of the argument should carry over to the task of writing opinions at some later date. Although the sublimation of war to the death down to the level of precisely controlled verbal clash between dapperly dressed counsel may seem to import methodology into the present from the depths of antiquity, we are familiar with parallels in other fields. The court room trappings suggesting superior dignity and aloofness and righteousness on the part of enrobed judges may invite atheistic disapproval, but here again we have ample parallels in other fields, so that complete alienness can hardly be claimed. Furthermore, for all the periodic denunciation of judge-made law and government by judiciary, we are aware of the fact that no two cases are ever exactly alike and that udicial decisions based on precedents must nevitably make such law as is required to fill the gap between the old and the new, between the previously decided case and the case now at hand. Here again judicial experience has ample parallels in the unfolding of experience in other fields.

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[13] Curtis, *op. cit.*, p. 2.

[14] Piero Calamandrei, *Procedure and Democracy* (1956), p. 37.

[15] See M. P. Follett, *Creative Experience* (1924), pp. 91–116; Wolfgang Köhler, *Gestalt Psychology* (1947).

Indeed, once we have come to accept judicial nstitutions for what they are in their own erms, those of us who are concerned about the relations of these institutions to other institutions of American government are apt to raise nost of our questions about the judicial process in terms of its changing areas, where there are growing resemblances between it and other processes of government, with tendencies oward modification of the adversary proceedng as known to our legal tradition. We find hat changes are taking place in the process of proving the facts upon which decisions are to be based. We find in the Supreme Court a neasure of confusion of adversaries through admission of counsel or on briefs of additional parties as "friends of the Court." And we note particularly as to the Supreme Court that the very process of creating multiple-judge appelate courts with jurisdiction primarily over questions of law tends to dilute or move away rom the adversary proceeding as practiced in courts of original jurisdiction.

For the finding of facts, our traditional nethod has been to do so by examining and ross-examining witnesses who are sworn to ell the whole truth and nothing but the truth—and who often leave the witness stand with a ense of guilt because the interests and strategy of opposing counsel have made it impossible or them to tell the whole truth or the truth vithout distortion. This process, along with he use of sworn written testimony in some kinds of cases, still provides our basic method. But changes are taking place in that in some urisdictions we are now invoking scientific ests of breath and blood, and lie-detector tests, vith confusion in the law as to the extent of admissibility of new forms of evidence. We are vaguely aware that some form of narcoanalysis may in the near future become a much nore accurate mode of getting truth from witnesses, whatever may be the constitutionality of its use, and our courts are yielding gradually to the presentation of a measure of expert opinion which from the layman would be rejected as mere hearsay.[16] Outside the area of the trial itself, in the fields of sentencing and clemency, most facts are determined by means other than the formal adversary proceeding, with full judicial approval. A great deal that goes on in these areas requires careful observation.

As for the problem of parties in cases reaching the Supreme Court, many of these cases involve public considerations so vast as to dwarf the interests of the formal litigants. If in such cases the decision is to be the product of the clash of arguments between opposing parties, the minds of the judges may be most inadequately informed about the public issues as distinguished from the private issues involved. It cannot always be assumed—as Charles A. Beard once wryly phrased an assumption of free enterprise—that the maximum of selfishness produces a maximum of public good. Instead the public good may go by default while the immediate interests of one of the two contending litigants are served.[17]

The public interest, it is true, and other interests not directly involved in the litigation can sometimes be protected through intervention by so-called "friends of the Court." The practice is one of long standing. The Solicitor General may be asked to intervene in Supreme Court cases on the part of the government, or he may intervene on his own initiative, although the reins are held tightly and he may be denied the privilege of participating in oral argument.[18] The American Civil Liberties Union files briefs in many cases in its field. So do labor unions. The National Association for the Advancement of Colored People virtually supplants the nominal litigants in the handling of key cases involving race issues.[19] The American Newspaper Publishers Association rushes to the defense of the freedom of the press.[20]

The vital question is as to how far the Court and the government should go in permitting the intervention of additional parties. In 1949 the huge number of propagandist interventions in cases involving communist activities led the Supreme Court to restrict the scope of intervention—or rather, led the Court to remind the Solicitor General that briefs as friends of the Court could be filed only with consent. For a time thereafter that official virtually closed the door on intervention in government cases,[21] whereafter members of the Court persuaded him to reopen it slightly, and the Court reserved to itself also a measure of discretion.[22] The important item here is evidence of disagreement on the Court as revealed in a protest by Justice Black against restriction on briefs by persons not actual litigants. "Most of the cases before this Court," he wrote, "involve matters that affect far more people than the immediate record parties. I think the public interest and judicial administration would be better served by relaxing rather than tightening the rule against *amicus curiae* briefs."[23]

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[16] See Bernard Botein, "The Future of the Judicial Process: Challenge and Response," *The Record of the Association of the Bar of the City of New York*, Vol. 15 (April, 1960), 152–173; Manfred S. Guttmacher, *The Mind of the Murderer* (1960), pp. 109–226.

[17] See Benjamin R. Twiss, *Lawyers and the Constitution* (1942).

[18] See United New York & New Jersey Sandy Hook Pilots Association v. Halecki, 358 U. S. 803 (1958).

[19] See "Private Attorneys-General: Group Action in the Fight for Civil Liberties," *Yale Law Journal*, Vol. 58 (March, 1949), pp. 574–598.

[20] See Craig v. Harney, 331 U. S. 367 (1947).

For this discussion the significant point here is that to the extent to which the briefs of non-litigants are received, and particularly that participation in oral arguments is permitted, cases drift away from adversary proceedings in the traditional sense and become three-cornered or acquire more corners than three, and to take on some of the characteristics of committees and legislative bodies rather than of courts. Indeed, when judges participate as widely in the discussion of the cases as they sometimes do, and when multiple briefs are received or arguments permitted, the judges and counsel tend to merge in committee, though of course with decision in the hands of only the judicial portion of the committee. If committee discussions are to be the source not merely of particular decisions but also of the law of the future, it becomes a matter of concern whether the effective agency should be a committee in court or a committee of the legislature, or a legislature itself.

The matter is even more complicated than this. As they have been permitted to reduce the Court's docket to the cases deemed most important and have been provided with professional assistance, members of the Supreme Court have been able to do extensive additional research into legal materials and adjacent factual background to supplement the briefs of counsel. Counsel in the famous *Myers* case,[24] for instance, decided in 1926, expressed amazement that Chief Justice Taft had been able to find much relevant material not discovered by counsel.[25] It has been said of Justice Brandeis, originator of the "Brandeis brief," that even when briefs were not inadequate, he "treated them only as a starting-point for investigation."[26] Other justices similarly range widely in the search for material.

That being true, we are left with the question as to the extent to which the adversary proceeding either is or ought to be the source of the specific decision and also of the frontier statement of the law. Is the ritual of argument before the Court one of shadow-boxing, as wel as sometimes in the nature of the meeting of a committee? Would putting blinders on the Court by holding it to briefs and public arguments of actual litigants as the sources of decision be desirable in that it preserved the integrity of the adversary proceeding, or would it be disadvantageous in that it protected a proceeding no longer adequate to our needs where public as distinguished from private interests are concerned? On the other hand, if we must convert judges into members of committees composed of judges and counsel and into searchers and supervisors of research, are we distorting a traditional institution to perform a function that might better be performed by the legislature? These are legitimate and important questions for political scientists and for citizens generally.

Part of our difficulty in dealing with such matters lies in the fact that, however sharp and clear may be the posing of adversaries in courts of original jurisdiction where the facts as well as the law are to be determined, in appellate courts, which decide primarily questions of law, the adversary character of the proceeding sometimes seems to dissipate and the adversaries themselves at times seem virtually to disappear. To illustrate by a single case with which many of our profession are familiar, that of *Adamson* v. *California*[27] decided in 1947, the Supreme Court there pretty much lost sight not only of the widow with a penchant for public display of jewelry who had gotten herself murdered but also of the defendant, a Negro with the quaint name of Admiral Dewey Adamson, who had a highly efflorescent criminal record and hobbies which included collection of the tops of women's stockngs.[28] Here the Supreme Court as a whole was primarily concerned with whether the Fourteenth Amendment gave protection against self-incrimination in a state court. Beyond that point, Justices Black and Frankfurter used the case as a medium for waging a doctrinaire battle over the extent to which the Bill of Rights was applicable to the states and over the merits of natural law reasoning, with Justice Black wielding a collection of historcal materials to make his point, much after the ashion of assembling strictly legal materials in such a way as to contribute to a previously selected legal conclusion.[29] Although the case provided the occasion for elaboration of a udicial controversy which had been in ferment or some time, there is no reason for thinking that the justices, in this case as in many others, got much help for their intellectual product rom the connection with the defendant under the death sentence.

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[21] Clement E. Vose, "Litigation as a Form of Group Activity," *Annals of the American Academy of Political and Social Science*, Vol. 319 (Sept., 1958), pp. 29–30.

[22] Rules of the Supreme Court of the United States, 346 U. S. 993–994 (1954).

[23] Order Adopting Revised Rules of the Supreme Court of the United States, 346 U. S. 945, 947 (1954).

[24] Myers v. United States, 272 U. S. 52 (1926).

[25] James M. Beck to William Howard Taft, Oct. 28, 1926, Taft Papers.

[26] Paul A. Freund, "Introduction," in Alexander M. Bickel, *The Unpublished Opinions of Mr. Justice Brandeis* (1957), p. xvii.

[27] 332 U. S. 46 (1947).

IV

It is well here to reemphasize the point made n the beginning, that political scientists should tudy the Court in terms of its basic instituional pattern and reappraise from time to ime its relation to the other branches of our government. In doing so we must realize that he "moment of truth" to be achieved by a group of nine men may come very differently and with far more difficulty than when it must ome only to one judge sitting alone. Among he nine appellate judges, one may get his llumination primarily from the oral argument, another from the briefs, another from the disussion in conference, another from independnt research, and still another from conversaion with his law clerk or gossip with his secreary. But if perchance each has received, from ome source, his own individual illumination, here remains the task of getting the synthesis, he *gestalt*, the totality of intellectual creation on the part of the group as a whole. Much more than it represents the individual judge sitting alone in the court of original jurisdiction, the appellate Court of nine may resemble the committee structure wherein men talk and talk, from diverse angles, until finally light dawns in the mind of a possibly self-appointed spokesman and he launches forth with a statement acceptable to a majority of the group. It may be a long, long route from the arguments of opposing counsel to the synthesis finally achieved.

Does the decision remain nevertheless the product of the adversary proceeding? If it is so denominated, we must still remember that resemblance of the modified adversary proceeding to a parliamentary proceeding raises questions whether the law made through the decision should not more properly be made by an overtly legislative body, or even by a constituent assembly. For all the fact that it decides cases as cases, it is also notorious that the Court makes and announces public policy. The policy may be good or bad—that for the moment, though for the moment only, may be treated as an irrelevant matter. Take the policy, adopted in various degrees by various justices, of giving special protection to civil liberties. With the insight of a poet, Robert Frost has noted that to the extent of its support of such a policy the Court ceases to serve as a referee and becomes a handicapper. "No referee, no umpire, has a right to be a handicapper. He has no right to say the underdog needs a little help."[30] Responsibility for special protection, whether for the upper dog or the underdog, he contends, is for the handicapper, and belongs not to the Court but to Congress and the President.

At this point—departing from the technical analysis of a major aspect of the judicial process which is the primary task of this address—we are compelled to mingle with the discussion of institutions some appraisal of the kinds of policy being made by the judiciary on the one hand and by the other branches of the government on the other. In our governmental system a court operates within a safety zone only so long as it adheres to its rightful sphere of operations, the decision of cases and the incidental—clearly incidental—making of interstitial law. When, in the language of Mr. Frost, it takes sides and becomes a handicapper rather than a referee, it invites the public wrath poured out on some such occasions. If it becomes sufficiently partisan it destroys the prestige from which derives its judicial potency and jeopardizes itself as a court as well as a policy-making agency.

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[28] For details see the case in the California supreme court, People v. Adamson, 165 P. (2d) 3 1946).

[29] For discussion of Justice Black's historical performance see Charles Fairman, "Does the Fourteenth Amendment Incorporate the Bill of Rights?", *Stanford Law Review*, Vol. 2 (Dec., 949), pp. 5–139.

[30] From a recording of a speech by Robert Frost, delivered at the Johns Hopkins University Poetry Festival, Nov. 13, 1958.

On the other hand, it is likewise true that in a democracy no institution exists merely to fulfill its own destiny, whether as a court, or a legislature, or an executive. It exists only to serve the people, doing so to the fullest extent possible under the Constitution and laws. The ultimate ends of society are more important than the pattern of any institution, and it is essential that those ends be served, even though the service is rendered only with considerable "play at the joints" among the several branches and instruments of the government. One of the major ends of our society is the maintenance of a regime of liberty as far-reaching as can be maintained without incurring the penalties of internal disorder or external danger. So it is that if in recent years the Supreme Court has gone to the outer fringes of judicial authority for the preservation of liberty, we should appraise its performance not merely in terms of an idealized conception of a court but also in terms of the performances of the other branches of the government in the same field. Nature abhors a vacuum. We need to ask what degree of idealistic leadership has been provided by Congress in this area. What, to take a single example, did the Senate do about Senator McCarthy, except censure him for violating the rules of the club—and doing even that only after he had been publicly discredited anyway? As for the executive branch, where and to what extent, to take a single issue, has it taken the lead in defending broadly the rights jeopardized by race prejudice, instead of waiting for the application of judicial pressure? Wherein during the last quarter of a century has it provided effective leadership for public opinion for the reshaping of benighted attitudes? And wherein, to shift to still other areas of responsibility, have we seen an invitation to greatness either in state legislatures o among our governors?

Answers to these questions may well explai such judicial encroachment as may seem t exist. True, the salvation of democracy doe not lie in having a judiciary protect us agains ourselves. In a democracy the democrats mus either rule or forfeit their birthright, an democracy implies leadership as well as slavis surrender of putative leaders to mass sentiment. The legislative and executive branche yield too much to the pressures of the hour, t the polls professionally or individually taken to the beckonings of expediency, and seek to seldom within their own modes of operatio the "moment of truth" that comes from th concentration of the capacity for thought an leadership on the part of elected representatives. While courts need watching, with prais and blame as the situation may require and i any event with penetrating and illuminatin analysis, the tendency toward default of creative leadership is more glaringly apparent i the other two branches, with consequent invitation to judicial encroachment to fill th vacuum. There are obvious limitations on th rightful scope of the adversary proceeding as device for achieving syntheses in the field o public policy, as distinguished from the mer decision of cases. But comparison of Suprem Court performance in recent years with that o legislative and executive branches, both in th federal government and in the states, invite drastic refurbishing within the political branches rather than extensive curbing of the powe of the courts. Better understanding of the inherent nature of the judicial process, couple with courageous assertion of democratic leadership where such leadership belongs, may wel provide all that is needed in the way of limitation on the scope of judicial power.

FEDERALISM v. INDIVIDUAL RIGHTS: THE LEGAL SQUEEZE ON SELF-INCRIMINATION

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This study deals with one reputed value of federalism, its service in the cause of freedom or liberty (both terms are used interchangeably here to mean an immunity from arbitrary governmental action). In particular, I shall examine one aspect of that sort of freedom in our federal system, namely, the right against self-incrimination. The general case for the peculiar virtue of our constitutional system as a means of assuring such a right was summarized by Madison:

> In the compound republic of America the power surrendered by the people is first divided between two distinct governments, and then the portion allotted to each subdivided among distinct and separate departments. Hence a double security arises to the rights of the people. The different governments will control each other at the same time that each will be controlled by itself.[1]

Passing over argument about the contribution of the separation of powers and judicial review, our attention will center on the complexities introduced by the federal division of powers. William Anderson posed the broad question some years ago: "Does federalism imply not only a division of powers between national and state government, but also a subtraction of powers from both in favor of the individual? Will there be less government in a federal than in a unitary state, or possibly even more?"[2] And we might add—what his formulation leaves partly open—if more government, then necessarily less freedom? More explicitly, Franz Neumann has suggested recently that "whether the federal state does increase freedom cannot be abstractly determined. We have some evidence that the federal state as such (that is regardless of the form of government) has not fulfilled this role."[3]

Neumann proposed as one of the possible tests the extent to which federalism promotes civil liberties. He thought that "on the whole, one may perhaps say that the federal system may have speeded up inroads into the civil liberties rather than protecting them," and he considered a study of that topic to be one of "real importance."[4] My purpose in this discussion is to contribute to such a study. What has been the impact of federalism upon the right against self-incrimination? Other specific rights might have been selected, but probably few would quarrel with Justice Frankfurter's view that "the history of liberty has largely been the history of the observance of procedural safeguards."[5] And, as events of the 1950s attest, none of these safeguards puts the larger issue of freedom from governmental constraint more sharply than this one.

The discussion which follows delineates the effect of judicial concepts of federalism on the rights of individuals under this constitutional guaranty, and seeks a reconciliation of policy dilemmas in current doctrines. The dilemmas arise because the principles of federalism necessarily affect the right against self-incrimination in two distinct situations: one when the right is first asserted in national proceedings and its effect on a later state prosecution must be considered; and the other the obverse case, when the right is first claimed in state proceedings and its consequence for a federal prosecution is in issue. These cases will be treated separately, in order.

I

The immediate source of the right against self-incrimination in national proceedings is the Fifth Amendment of the federal Constitution: "nor shall [any person] be compelled in any criminal case to be a witness against himself . . . " Over the years this right has been construed liberally by the courts, and it now may be invoked not only in actual criminal trials, but also before administrative agencies, Congressional committees, and federal grand juries. Moreover, a witness may plead the right even when his answer to the immediate question is not itself incriminating; it is enough if the answer might furnish a link in a chain of evidence that will ultimately result in establishing his guilt. But it must be claimed at an early stage in a line of questioning, lest it be deemed to have been waived.

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[1] *The Federalist*, No. 51.

[2] William Anderson, *Federalism and Intergovernmental Relations* (Chicago: Public Administration Service, 1946), p. 33.

[3] Franz L. Neumann, "Federalism and Freedom: A Critique," in A. W. Macmahon (ed.), *Federalism Mature and Emergent* (Garden City, N. Y., 1955), p. 47.

[4] *Ibid.*, p. 48. His argument ran counter to the tenor of other essays in the symposium.

[5] McNabb v. United States, 318 U. S. 332, 347 (1943).

Does the possibility of incrimination under a state criminal statute constitute a valid excuse for a refusal to answer a question in a federal proceeding where the Fifth Amendment is clearly applicable? For many years the judicial answer to this question was uncertain. One line of cases upheld the witness' right not to answer if there was any real danger of state prosecution.[6] Diametrically opposed to this judicial position was another, indicating that the fate of the witness before the state courts was no concern of federal officials. The courts reaching this latter result based it on the argument that two separate sovereignties were involved, borrowing by way of analogy from certain English decisions which supposedly refused to take judicial notice of the possibility of a defendant's incriminating himself under the laws of another country.[7]

The persisting uncertainty between these positions was settled in 1931 in the now-famous decision, *United States v. Murdock*.[8] The defendant refused to answer certain questions put to him by federal tax officials concerning protection money he allegedly paid in connection with gambling operations—and claimed as a deductible business expense—on the ground that the answers to these questions might incriminate him under state law. The Supreme Court held that since the investigation was under federal law in respect of federal matters, namely, his tax liability, and not for the purpose of discovering evidence of violations of state laws, he must answer. In so holding, the Court reasoned that the Supremacy Clause of the national Constitution (Art VI, sec. 2) gives inquiries duly authorized for national purposes an overriding legality that may not be hindered by obstacles that depend upon state law.

The *Murdock* principle, that the investigation must be for a *bona fide* national purpose in order to compel the witness to answer, was underscored in a case decided some twenty years later. In *United States v. DiCarlo*,[9] a federal District Court ruled that a witness who appeared before the Kefauver Crime Investigating Committee need not answer questions that might incriminate him under state law since one of the major purposes of the investigation by the Congressional committee was to ascertain violations of state criminal laws.[10] The case could accordingly be distinguished from *Murdock* in which the investigation was for a national purpose alone, and any information obtained from the witness was only incidentally revealed for possible use by state officials.

With judicial doctrine in this posture, a related question vital to a federal system of law enforcement immediately arises: can the national government, if it so desires, protect the witness legally from state prosecution? To answer this question, and understand the essential issues it raises, the effect of the immunity statutes must be considered.

Federal Immunity Statutes. Immunity laws hurdle the constitutional guaranty against self-incrimination: they protect a witness from prosecution in exchange for compulsion on him to disclose information the investigating officials consider to be worth the exchange; the witness may or may not think so. The philosophy behind their passage is that in some circumstances it is more beneficial to gain facts that will ultimately result in better law enforcement, or better laws, than it is to prosecute the offender immediately in hand.

Immunity statutes are of two major types:

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[6] The leading cases are United States v. Saline Bank of Virginia, 1 Pet. (U. S.) 100 (1828) and Ballmann v. Fagin, 200 U. S. 186 (1905). For an excellent historical analysis see J. A. C. Grant, "Federalism and Self-Incrimination," *U.C.L.A. Law Rev.*, Vol. 4 (June, 1957), pp. 550 ff.

[7] The American decisions taking this viewpoint include Brown v. Walker, 161 U. S. 591 (1896) and Hale v. Henkel, 201 U. S. 43 (1905). The English decisions most often cited are King of the Two Sicilies v. Willcox, 61 Eng. Rep. 116 (1851) and Crown v. Boyes, 121 Eng. Rep. 730 (1861). Actually the latter decision did not even involve a second sovereignty: the issue in the case was whether the testimony of a witness implicated in alleged vote-buying in a Parliamentary election could legally be compelled to answer when a Crown Pardon could not protect him against the highly remote possibility of an impeachment action by the House of Commons. Yet once the case was incorrectly cited, it continued to be considered as authority for the two sovereignties rule. See *infra*, note 42, for a further criticism of the use of English and Empire cases as precedents for the self-incrimination issue faced by American courts.

[8] 284 U. S. 141.

[9] 102 Fed. Supp. 597 (N.D. Ohio, 1952). Two companion cases, United States v. Licavoli and United States v. Aiuppa, *ibid.*, 607 and 609, also applied the same reasoning to similar fact situations.

[10] The Committee was investigating local crime conditions in order to determine whether the facilities of interstate commerce were being used to aid local violations.

"partial" ones which merely forbid the use of the witness' actual testimony, and "complete" ones which shield him from prosecution for any matters that relate to his compelled testimony.[11] Both types of statutes usually make an exception for perjury charges growing out of statements made in such testimony. The "partial" type has gradually been abandoned as ineffective since the decision in *Counselman v. Hitchcock*.[12] Over the years the national government has utilized immunity statutes in seeking information from witnesses appearing before Congressional committees, courts, grand juries, and administrative agencies where the constitutional right against self-incrimination is applicable. At the present time, their application is restricted to the fields of subversion, narcotics, and certain regulatory activities of the national government.[13] All the statutes currently in force are "complete."

Effect of Federal Immunity Statutes on State Prosecution. With this general background in mind, let us return to the previous question: does the national government have the power to immunize witnesses testifying before federal bodies from potential prosecutions by state authorities if these prosecutions are based upon information compulsorily disclosed to federal officials? If such a power exists, may the national government merely forbid the use of the compelled testimony itself as evidence in state courts—a partial immunity—or may it also give the witness complete immunity from state prosecution for all matters growing out of his statements before federal authorities?

Although the Supreme Court did suggest many years ago that a complete federal immunity statute protected the witness against state as well as federal prosecution,[14] it was not squarely faced with the issue until the 1954 case of *Adams v. Maryland*.[15] Adams had appeared before the Kefauver Committee and answered questions put to him by the Congressmen; largely on the basis of this testimony, he was convicted of violating Maryland's anti-lottery laws. He appealed his conviction to the Supreme Court, contending that the "partial" immunity statute then applicable to Congressional investigations[16] prevented the use of his compelled testimony as evidence in both state and federal courts.

The Supreme Court upheld Adams' contention, interpreting the words of the national statute—"any criminal proceeding in *any court*" (emphasis added)—to include a state court. As constitutional justification for such a statute, the Court pointed to the Necessary and Proper Clause of the Constitution, saying that the power to compel testimony through immunity statutes is a necessary part of Congress' power to investigate. On this premise the Supremacy Clause of the Constitution binds state courts to obey the federal statute even though it affects their rules of evidence.

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[11] The usual wording is that "no witness shall be prosecuted or be subjected to any penalty or forfeiture on account of any transaction, matter or thing concerning which he is so compelled." See 18 *U.S.C.* (1958) sec. 3486 for a recent example. The first immunity statute was passed in 1857, 11 *U. S Stat.* 155. For an excellent summary of their evolution see H. Rept. No. 2606 on S. 16, in *U. S. Code Congressional and Administrative News*, 83d Cong., 2d sess., 1954, pt. 2, pp. 3062 ff.

[12] 142 U. S. 547 (1892). The Supreme Court there ruled that a witness need not testify even though he is offered the protection of a "partial" immunity statute because the compelled information, while not itself admissible as evidence against him, may be utilized to gain other incriminating facts. The Court reasoned that in such a situation a "partial" immunity is not an adequate substitute for the constitutional privilege. In a subsequent decision, Brown v. Walker, cited *supra*, the Court upheld the testimony-compelling features of a "complete" immunity statute on the ground that the protection it affords the witness is coextensive with his constitutional right.

[13] In the course of legislative investigations into subversive and treasonous activities which endanger national security and defense, Congress, or any of its committees, may petition the United States District Court for an order compelling the witness to answer; the United States District Attorney is given similar authority in judicial inquiries into these matters before both grand and petit juries. 18 *U.S.C.* (1958), sec. 3486. A similar statute applies to judicial proceedings pertaining to narcotics violations. 18 *U.S.C.* (1958), sec. 1406. The authority of certain regulatory agencies—the ICC, FPC, etc.—to compel testimony by the use of "complete" immunity statutes has been granted on a statute-by-statute basis. For a list of such statutes see Shapiro v. United States, 335 U. S. 1, 6, n. 4 (1948).

[14] Brown v. Walker, cited *supra*. However, the language on this point must be considered as *dictum* only since there was nothing in the facts surrounding that case to indicate that any real question of state prosecution was present, and the Court indicated that it considered the danger of any such future prosecution as exceedingly remote. Moreover, the Court also seemed to adopt the position that in any event such an eventuality was irrelevant under the "separate sovereignties" rationale. See note 7 *supra*.

[15] 347 U.S. 179 (1954).

[16] 12 *Stat.* 333 (1862). This statute was repealed in 1954 when the present complete immunity law dealing with testimony affecting the national security and defense was enacted. See note 13, *supra*.

Only two years later, the 1954 "complete" immunity statute dealing with testimony concerning national security and defense was presented to the Supreme Court for interpretation in *Ullman v. U.S.*[17] Ullman refused to answer questions relating to his alleged Communist associations put to him by a federal grand jury, contending, among other reasons, that the immunity statute was unconstitutional since it did not afford him protection against state prosecution.

The court refused to uphold Ullman's contention, ruling that the statute did protect him from prosecution by state authorities for any matters arising from his compelled testimony. The authority of the Congress to so affect state enforcement activities was traced to its power over national defense; the right to compel testimony from witnesses on matters relating to the nation's security was considered to be complementary to, or necessary and proper for, the exercise of this specific enumerated power. The Court pointed to Congress' "paramount concern" in safeguarding national security and held that the statute's contribution to the more effective exercise of this conceded federal power justifies the restriction placed on the exercise of state powers.

The *Adams* and *Ullman* decisions carry important implications for the principles of federalism as applied in the field of law enforcement. Under the reasoning of *Adams*, the national government can forbid states from utilizing actual testimony elicited by Congress in the course of its investigations into any substantive area. Given the expansive authority of Congress under the interstate commerce, taxing and spending powers, the scope of this area is virtually unlimited. Moreover, the Court's rationale in *Ullman* indicates that in fields of its "paramount concern" the national government can completely bar state prosecutions for all matters arising from the compelled testimony. A crucial question left as yet unanswered by the Courts is whether the national government has constitutional authority to enact a "complete" immunity statute precluding state prosecutions when the statute is designed to aid inquiries by the national government in a substantive area where it enjoys only a concurrency of powers with the state governments.[18] Of course, if this open question should be answered in the negative, the important issue would then shift to the determination of the specific fields of governmental activity where the national concern is paramount over that of the states.

The *power* of the national government to preclude state prosecutions is important to a witness appearing before a national agency for questioning. Equally important is the *policy* of Congress toward immunity against state prosecution. For example, the *Murdock* ruling allows federal inquiries for national purposes notwithstanding possible incrimination under state law. Yet in *Ullman* the Supreme Court construed the federal immunity statute of 1954 as granting witnesses complete protection from state prosecution, even though, in a national inquiry for an admittedly national purpose, they could have been legally required to answer regardless of the consequences for state criminal action.

Some of the immunity statutes, that is to say, embody a policy determination by Congress that national investigative purposes warrant the offering of immunity against state prosecutions in selected cases. For despite a legal compulsion to answer, a witness may prefer to risk national perjury or even contempt charges rather than divulge matters that will subject him to the more severe risk of state prosecution for a felony. A federal immunity statute is thus designed to insure that his answers will be forthcoming and honest; to the extent that this occurs, the national purpose of gaining reliable, factual information on matters under investigation will be served. The Supreme Court's validation of statutes of this type indicates judicial agreement with the view that the national purpose underlying their passage in certain substantive areas has sufficient constitutional priority to justify their consequent effect on state prosecutions.

Use of Federally Compelled Evidence in State Courts. If national officials do compel testimony, and federal courts determine that no immunity statute prohibits its use by state authorities, one further question remains to be considered: will state courts either admit this testimony as evidence itself, or allow it to be used as a source for gathering other information on criminal activities of the witness? As might be expected, most state tribunals have little compunction about accepting this windfall evidence. However, the courts of one or two states have proved to be exceptions to this general rule. The Florida Supreme Court in a 1914 case, *Clark v. State,*[19] and the Michigan Supreme Court in a 1916 decision, *People v. Lay,*[20] both refused to allow information gathered in national bankruptcy proceedings to be used in state embezzlement actions. More recently in *Boynton v. State,*[21] the Florida Supreme Court, citing *Clark* as precedent, refused to allow information on gambling activities, gathered by federal revenue officials, to be used in a state legal action against the individuals involved.[22]

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[17] 350 U.S. 422 (1956).

[18] In Tedesco v. United States, 255 F.(2d) 35 (6th Cir., 1958), a federal Circuit Court sidestepped the issue by holding that the portion of the federal narcotics statute which purported to give this "complete" protection from state prosecution was separable from its remaining provisions, and only the latter had to be validated in order to deal with the essential questions raised by the case. However, the Court expressed its doubts that this power exists in a field, such as narcotics, of concurrent governmental powers.

This review of what the witness faces when he is brought before national officials for questioning leads naturally to a comparison with the position of a witness in the obverse situation. What happens if one refuses to answer questions put to him by state authorities on the ground that his answers will tend to incriminate him under national laws?

II

The right of an individual to plead self-incrimination before state agencies arises from the state and not from the federal Constitution. In *Twining v. New Jersey,*[23] decided over fifty years ago, the Supreme Court refused to read the Fifth Amendment privilege against self-incrimination over into either the privileges and immunities or the due process clause of the Fourteenth Amendment as applicable to state authorities. However, forty-eight of the fifty state constitutions have clauses granting this privilege, and the other two jurisdictions have recognized it in judicial decisions.[24]

Like the Congress, state legislatures have passed immunity statutes. They are of the two general types discussed previously; that is, some grant complete immunity from prosecution, while others offer only partial immunity.[25] However, unlike federal legislation with respect to state proceedings, state immunity statutes cannot prevent federal prosecution, for that would constitute a direct violation of the Supremacy Clause of the federal Constitution. The majority of the state courts, nevertheless, do not excuse a witness from testifying because the state cannot give him either complete or partial immunity from federal prosecution. The leading case on the question, *Jack v. Kansas,*[26] was decided in 1905. Although it is difficult to determine the precise basis of the decision, the end result of compelling the witness to answer continues to be the action taken by the majority of state courts.[27]

The Michigan Supreme Court is primarily responsible for the development of the minority position that the witness need not answer questions that will lead straight to federal prosecution. The leading case to this effect is *People v. Den Uyl,*[28] in which the Court excused a witness from testifying who was under a federal indictment at the time for matters relating to those about which he was being questioned. The opinion emphasized the very real probability of dangerous incrimination under federal law, in light of the pending indictment, and held that compelling the witness to testify under the circumstances would violate the provisions against self-incrimination in the Michigan constitution. The Michigan rule has been adopted by the courts of Louisiana, Kentucky, and Florida.[29]

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[19] 68 Fla. 433, 67 So. 135 (1914).

[20] 193 Mich. 17, 1959 N.W. 299 (1916). Both courts interpreted provisions of the national bankruptcy act stipulating that elicited testimony could not be used in "any criminal proceeding" as applying to state, as well as federal courts. But the Florida Court also held that the use of such evidence would violate provisions of the State Constitution pertaining to self-incrimination.

[21] 75 So.(2d) 211 (Sup. Ct. Fla., 1954).

[22] See *infra,* p. 896 ff, for a further discussion on this matter.

[23] 211 U.S. 78 (1908). This doctrine was affirmed more recently in Adamson v. California, 332 U.S. 46 (1947).

[24] See John Wigmore, *A Treatise on the Anglo-American System of Evidence in Trials at Common Law* (3d ed., Boston, 1945), VIII, sec. 2252, for a list of the pertinent constitutional provisions and cases.

[25] For a list of these immunity statutes, see Wigmore, *ibid.,* sec. 2281.

[26] 199 U.S. 372 (1905). The Court emphasized the remoteness of the danger of federal prosecution; however, it also indicated that the legal immunity granted the witness need only apply to a prosecution in the same jurisdiction. *Ibid.,* p. 382.

[27] For examples of recent decisions taking this line see Cabot v. Corcoran, 332 Mass. 44, 123 N.E.(2d) 221 (1954); State v. Arnold, 124 N.E.(2d) 473 (Sup. Ct. Ohio, 1954), and Wyman v. DeGregory, 101 N.H. 171, 137 At(2d) 512 (1957).

[28] 318 Mich. 645, 29 N.W.(2d) 284 (1947). Actually the test had been formulated in earlier decisions, but did not apply to the defendants concerned. See In re Watson, 293 Mich. 263, 291 N.W. 562 (1940); In re Schnitzer, 295 Mich. 736, 295 N.W. 478 (1940); In re Ward, 295 Mich. 742, 295 N.W. 483 (1940); and In re Cohen, 295 Mich. 748, 295 N.W. 481 (1940).

It is difficult to determine just how far apart the majority and minority positions are. Conceivably some state courts, now supposedly lined up on the majority side, might excuse witnesses from testifying if it were clearly demonstrated that the danger of aiding federal prosecutions in particular instances was as real as it obviously was in *Den Uyl*. Others, however, might expound the separate sovereignties theory or, as one writer suggests, indulge in the legal fiction that no danger exists regardless of the actual circumstances surrounding the case.[30]

Use of State-Compelled Evidence in Federal Courts. The federal courts were not faced with the constitutional question about using state-compelled information until some sixteen years ago when evidence elicited in a state creditors' proceeding was sought to be introduced in a federal mail-fraud suit in the leading case of *Feldman v. United States.*[31] Justice Frankfurter, speaking for the majority of the Court, used several arguments to buttress his decision that the testimony was admissible. He pointed to the historical background of the Bill of Rights and to Chief Justice Marshall's famous opinion in *Barron v. Baltimore* to show that the Fifth Amendment pertains to the national government only and does not restrain the action of state authorities. Frankfurter also declared that "the distinctive operation of the two governments (national and state) is basic to our federal constitutional system, however complicated and difficult the practical accommodation to it may be," and cautioned that to give effec to the New York State "complete" immunit statute would be to place "the criminal law o the United States at the hazard of the carelessness or connivance in some petty civil litigatio in any state court, quite beyond the reach o even the most alert watchfulness of law officer of the Government." He did concede that i federal officials participated in the gathering o the evidence by state authorities, it would b inadmissible in federal courts, but found n suggestion of complicity between the person involved in the state proceeding and the federa officers concerned.

Justice Black wrote a powerful dissent. In i he emphasized the fact that, in the long perioc since the Bill of Rights was adopted, no federa court had ever before sustained a conviction fo a federal offense based on self-incriminating testimony forced from the accused. He reasoned that "testimony is no less compelled because a state rather than a federal office compels it, or because the state officer appear to be primarily interested at the moment in enforcing a state rather than a federal law," and pointed out that the defendant did not question the power of the national court to prosecute him on the mail-fraud charge on other evidence, but only claimed that the Fifth Amendment prevented the testimony elicited by state authorities from being introduced in the federal proceeding. Finally, Black attacked the majority rationale with vigor:

> The Court's holding that a defendant can be so convicted [that is, with the use of state-compelled evidence] cuts into the very substance of the Fifth Amendment, and it justifies this result not by the language or history of the Constitution, but by a process of syllogistic reasoning based upon broad premises of 'dual sovereignty' stated in previous opinions of the court relating to immunity statutes . . . Constitutional interpretations should involve more than dialectics. The great principles of liberty written in the Bill of Rights cannot be treated as imprisoned in a wall of formal logic built upon vague abstractions found in the United States Reports.[32]

Thus generally the witness who appears before a state governmental body for interrogation finds himself, if anything, in a more vulnerable position than one who is faced with questions from federal officials; the former does not even have the possible shield of an immunity statute to protect him against prosecution at the hands of the other jurisdiction. The only safeguard which operates in his favor is the exception allowed by Justice Frankfurter in *Feldman*, namely, the bar against the introduction in federal proceedings of evidence which has been collected through complicity between national and state officials. However, even this protection is meaningful only in terms of the specific kind of joint activities necessary to bring the proscription into play. This brings us to the issue of collaboration between national and state authorities in compelling testimony from witnesses, leading to the most extreme form of what might be termed the "legal squeeze" on self-incrimination.

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[29] Louisiana v. Dominguez, 228 La. 284, 82 So.(2d) 12 (1955); Kentucky v. Rhine, 303 So.(2d) 301 (Sup. Ct., Ky., 1957); State v. Kelly, 71 So.(2d) 887 (Sup. Ct., Fla., 1954); and Lorenzo v. Blackburn, 74 So.(2d) 289 (Sup. Ct., Fla., 1954). The rule was cited in the latter two decisions, even though the Court could find no likelihood of the witness' testimony aiding federal prosecution.

[30] Case Comment, *U. of Pa. L. Rev.*, Vol. 96 (Feb. 1948), 416.

[31] 322 U.S. 487 (1944). A law passed in 1868 made information compelled by both national and state officials inadmissible in federal courts. See 15 *Stat.* 37 (1868), *Rev. Stat.* (1875) sec. 860. However, the statute was repealed in 1910, 36 *Stat.* 352 (1910).

[32] *Ibid.*, pp. 498 ff.

III

"Cooperative federalism" (sometimes referred to as the "new" federalism) is the recent term applied to the trend of federal-state relations in which, as William Anderson suggests, the two governments operate more as partners than as rivals.[33] Generally this trend has been hailed as a favorable development, as indeed it is; however, from the viewpoint of a witness subject to interrogation it is not an altogether unmixed blessing and it can lead to serious inroads on individual liberties.

A recent case underscoring the possibilities of collaboration between federal and state law enforcement officials to the detriment of the accused is *Knapp v. Schweitzer*.[34] A witness subpoenaed by a New York State grand jury to answer questions concerning the possible bribery of labor representatives was cited for contempt because he refused to answer inquiries put to him, citing the possible incriminatory effects of his testimony under federal labor-management legislation. In so refusing, the defendant alleged that the United States Attorney for the area made a public announcement of his intention to cooperate with the local District Attorney in the prosecution of criminal cases growing out of the subject matter under investigation.

On appeal the majority of the Supreme Court upheld the contempt citation. Justice Frankfurter, speaking for the majority, reiterated his language in *Feldman* that if a federal officer should be a party to the compulsion of testimony by state agencies the Fifth Amendment would bar its introduction in a federal prosecution. However, he pointed out that the question in this case was a different one, namely whether as a result of such collaboration, a defendant could successfully assert his Fifth Amendment privilege in a state proceeding, and he saw no necessity of deciding this latter issue in the case at hand:

> . . . The record before us is barren of evidence that the State was used as an instrument of federal prosecution or investigation. Petitioner's assertion that a federal prosecuting attorney announced his intention of cooperating with State officials in the prosecution of cases in a general field of criminal law presents a situation devoid of legal significance as a joint state-federal endeavor.[35]

Chief Justice Warren and Justice Black both dissented. Warren stressed the fact that the New York Court had ordered the witness to answer under the misconception that the alleged cooperation between the federal and state officials would bar the use of the compelled testimony in federal courts. Under the circumstances, the Chief Justice felt that the case should be remanded so that the state court could reconsider the state law in light of the majority's conclusion that the role of the federal prosecutor was not such as to prevent federal use of the state-elicited information. Justice Black concurred with Warren's reasoning and also attacked the majority's reasoning on broader grounds:

> *Feldman* places a witness who is called before a state agency and ordered to testify in a desperate position; he must either remain silent and risk state imprisonment for contempt or confess himself into a federal penitentiary.[36]

The collaboration between federal and state officials alleged in *Knapp* was minor compared to that involved in *Mills v. Louisiana* decided by the Supreme Court last year.[37] Here the parties—the state of Louisiana and the defendants who refused to answer questions of a state grand jury on the ground that their testimony would place them in danger of federal prosecution—stipulated that during the pendency of the state investigation into alleged bribery of New Orleans police officials, the Intelligence Division of the Internal Revenue Service, the United States Attorney concerned, and a federal grand jury were also investigating some members of the police department for income tax evasion. Moreover, it was agreed in the record that there was cooperation and collaboration between state and federal officials, and that conferences had been held between the local District Attorney and the United States Attorney.

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[33] See William Anderson, *The Nation and The States, Rivals or Partners?* (Minneapolis: The University of Minnesota Press, 1955); Jane Perry Clark; *The Rise of a New Federalism* (New York: Columbia University Press, 1938).

[34] 357 U.S. 371 (1958).

[35] *Ibid.*, p. 380.

[36] *Ibid.*, p. 384.

[37] 360 U.S. 230 (1959).

Despite this showing of specific cooperative activities, the majority of the Supreme Court affirmed without opinion the contempt conviction entered by the state court, and simply cited the *Knapp* case. Chief Justice Warren dissented again, commenting that "all facts point to the conclusion that the State was used as an instrument of federal investigation." Moreover, he announced his dissatisfaction with the adequacy of the remedy proposed in *Feldman*—the bar to the introduction of such state-elicited evidence in federal courts—and asked instead that the self-incrimination clause of the Fifth Amendment be construed more liberally so as to protect a witness against any federal prosecution that might relate to his state-compelled testimony.

The joint dissent of Justices Black and Douglas also stated that it was the duty of the state court to protect the federal right. However, they laid this duty to the consequences of *Feldman* in permitting the introduction of state-compelled evidence in federal proceedings; if such evidence had been barred there, then the two Justices indicated that they would be willing to leave the protection of the federal right to federal courts. This suggests that Black and Douglas are not willing to grant the witness the complete protection against federal prosecution which Chief Justice Warren advocates.

Collaboration between the national and state governments whereby one jurisdiction compels the testimony which the other uses has not been restricted to *ad hoc* relationships between law enforcement officers alone; Congress has made it a matter of national policy to aid states actively in enforcing their anti-gambling laws. Largely as a result of the Kefauver Committee hearings, a 1951 federal statute taxes certain gambling activities; under this law gamblers by occupation must register, disclosing their names and places of business, as well as similar information about all persons with whom they conduct gambling operations. Moreover, federal tax officials are required to keep for public inspection detailed information on persons paying the gambling taxes and, upon application, must furnish certified copies thereof to prosecuting officers of states, counties or municipalities.[38]

The validity of this statute was upheld two years after its passage in *U. S. v. Kahriger*.[39] The majority of the Supreme Court answered the charge of its incriminating effect by reasoning that registration under the Act is indicative of a possible future intent to gamble, not such an admission of guilt for past acts as is proscribed by the Fifth Amendment. Justice Black dissented, arguing that the statute creates a squeezing device contrived to put a man in prison as a violator of state gambling laws. An unexpected judicial bedfellow, Justice Frankfurter, joined Black in a separate dissenting opinion, objecting not only that the statute makes a specious use of the taxing power to reach activities beyond the authority of the federal government, but also that it is designed for the systematic confession of crimes under state law.

The purpose of the Congress in enacting this tax revenue measure was realized in the circumstances leading up to *Irvine v. California*.[40] Part of the State's case against the defendant for violation of anti-gambling laws was based upon information filed with federal tax officials. In affirming the defendant's conviction by the state, the majority of the Supreme Court saw no constitutional issue at stake; the judges dealt only in statutory interpretation. Since the federal statute specifically says that the payment of the federal tax does not exempt any person from possible penalties or punishments under state law—the gambler's federal license is not a license to violate state law—the Court could see no barrier to California's prosecution of Irvine even though the state officials reaped the benefits of the information exacted by the federal revenue measure.

Justice Black, writing for himself and Justice Douglas, dissented, contending that the Fifth Amendment's guarantee against self-incrimination cannot be "spirited away by the ingenious contrivance of using federally-extorted confessions to convict of state crimes and vice versa." They would interpret the Fifth Amendment so as to prevent state courts from convicting a person of a crime on the basis of testimony compelled by federal officers; they also thought that the Fourteenth Amendment could be construed to accomplish that purpose.

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[38] 26 *U.S.C.* (1958) secs. 4401–4422. Two separate taxes are involved: one (sec. 4401) is a 10 per cent tax on the amount of wagers placed with the gambling operator; the other (sec. 4411) is an occupational tax of fifty dollars for the privilege of engaging in the business of wagering. Sec. 4412 prescribes the registration requirements; sec. 6107, *ibid.*, covers public inspection and certification.

[39] 345 U.S. 22 (1953).

[40] 347 U.S. 128 (1954).

As a practical matter, then, "cooperative ederalism" means among other things an arrangement whereby one jurisdiction compels estimony in return for immunity from prosecution, only to see to it that the testimony winds up in the hands of the other jurisdiction which s free to use it against the victim of the squeeze.[41] But lest we lose perspective in thinkng too rigidly in terms of legal rights and duties, let it be borne in mind that the compulsion that the Fifth Amendment may or may not bar n the cases so far discussed is only the *legal* sanction of a penalty for refusal to testify; the squeeze may take subtler forms. Suppose, for nstance, a felon convicted in a federal court and awaiting sentence is approached with a suggestion that, if he gives information about his accomplices that will enable state authorities to convict them of state crimes, the federal authorities will recommend leniency on the udge in sentencing him. He must weigh a light sentence against the likelihood of private vengeance later, and no Fifth Amendment can save him the choice. Is the squeeze in this sort of "cooperative federalism" any easier for being wholly constitutional? The point in this example is not so much the contribution of a prospective state prosecution to the squeeze—for the source of the duress is private and would exist equally if two federal prosecutions were in view—as it is a reminder that the intensity and hardship of the squeeze, as it is actually felt, depends on more factors than the legal penalties and protections involved.

It is time now to turn from the web of intergovernmental relationships in which witnesses appear to be legally ensnared, to some concluding comments concerning federalism and self-incrimination.

IV

I referred earlier to Anderson's provocative query whether the division of powers between two levels of government means a subtraction of powers from both in favor of the individual, or the contrary. The evidence examined above invites some conclusions on this issue as it applies to the right against self-incrimination. The remainder of this study attempts to draw such conclusions and to consider various tests and means for reconciling the interests of the national and state governments in effective law enforcement with the right of the accused not to be forced to be a witness against himself. Let us start with a summary.

Although some early cases took account of the danger of state prosecution, federal agencies today can legally compel a witness to answer questions even though his testimony will expose him to the danger of criminal action by state authorities; and they may coach the latter. The only present qualification of this rule is that the national officials must be pursuing a genuine national purpose in making their inquiries; they may not compel information from the witness if their primary aim is to aid in investigating violations of state laws.

The national government may, however, pass immunity statutes that grant witnesses more or less protection from state action. Decisions upholding such statutes indicate that the courts are willing to defer to the judgment of the Congress that in some areas, although a witness has no constitutional grounds for refusing to testify, it may be advisable to give him protection against state prosecution in order to obtain truthful testimony from him. But the extent to which the Congress can go in offering such protection has not been fully determined: apparently "partial" immunity can be granted in connection with any investigation in which the national government has a legitimate interest, but to date the Supreme Court has chosen to limit its validation of "complete" immunity to fields in which the national government has a "paramount" interest.

Whatever the legal potentialities of federal immunity statutes, in most instances none is applicable: presently the only complete immunity laws are restricted to matters of national defense and security, and narcotics; and most federal regulatory agencies which benefit from special legislation containing immunity authorizations are concerned more with economic rights of corporations than civil liberties of individuals. Thus the potential use of federally compelled testimony by state courts is virtually unlimited, and generally they have no judicial qualms about accepting this windfall evidence.

The witness before a state agency similarly finds his state-granted right against self-incrimination of little value as protection against federal prosecution. No state immunity statute, whether "partial" or "complete," can bar federal criminal proceedings; such a result would be out of keeping with national supremacy. The witness, therefore, must depend either upon the state agency seeking information, or the federal agency which stands to gain by it, for relief from his predicament. In general, neither has been willing to give up the advantages it gains from present arrangements. It is true that the courts of some states will not compel testimony that will aid a federal prosecution; however, not only are they in the minority, but they usually demand fairly clear evidence—such as a pending indictment—that federal action is actually probable. Moreover, federal courts, like most of their state counterparts, will gladly accept the windfall evidence gathered in the other jurisdiction unless evidence of cooperation between federal and state officers goes so far as to establish that the one set has become merely the agent of the other. One man's complicity is another man's cooperation.

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[41] It will be recalled, however, that the Florida Supreme Court in Boynton v. State refused to uphold the results of a forfeiture proceeding, pertaining to gambling operations, based at least in part upon information filed with federal tax authorities. See note 21 above.

For even this latter qualification—the inadmissibility in federal courts of evidence tainted by collusion between officials of the two jurisdictions— has not served as a real source of protection for the witnesses involved. Recent cases indicate that a majority of the Supreme Court is willing to condone a considerable degree of collaboration between federal and state officers, including joint investigations and conferences. Moreover, the Supreme Court has upheld the registration provision of the federal gambling tax statute, even though it is quite clear that the law is designed to aid states in enforcing their own laws; and the Court has not even found a constitutional issue at stake when it sustained a state conviction obtained largely upon information filed with the federal tax authorities.

Viewing this record as a whole, one must conclude that the concepts of federalism applied by the courts over the years have operated to the detriment of the individual's right against self-incrimination: the existence of two governments has produced rather less than more of this particular freedom. Madison's logical argument that the division of political powers between two distinct governments serves as a security to the liberties of the people has accordingly not proved to be true for this civil right. Madison's premise was that the two governments will control each other. The litigation of self-incrimination cases indicates, on the contrary, that the national and state governments not only fail to control each other, but that in some instances they collaborate at the expense of the witness.

Significantly, it is by a similar resort to abstract logical principles of federalism that judicial rulings operating to limit the right against self-incrimination have been justified. One such principle is the historical argument utilized by Justice Frankfurter— that the Fifth Amendment applies only to the federal government and not to the states. On that principl compulsion of testimony by state tribunals fo use in federal courts does not violate the witness' federal right. But when both government are committed in their constitutions to outla self-incrimination, such a rationale seems essentially unsound. To read the Fifth Amendment as Justice Frankfurter does, to forbid th national government to compel testimony itself, but to allow it to make good use of tha elicited by state officials, is to give the clause a unduly restrictive interpretation. The Fift Amendment was designed to protect the individual against arbitrary treatment at the hand of the national government; it should b broadly construed to serve that purpose. Justice Black's comment that testimony used in a federal court against an individual is no les compelled because a state rather than a federa government officer compels it, hits the judicial issue with a bullseye shot.

The two-sovereignties theory borrowed from English decisions is also patently unsuitable for dealing with the issues of federalism and self-incrimination. J. A. C. Grant, after a careful examination of pertinent English and Empire cases, concludes that as applied to the issue of self-incrimination, it is erroneous to view these cases as standing for the idea that at common law one sovereign had no interest in the law enforcement activities of another sovereign. Moreover, he reasons that even if this were not so the analogy is a poor one, since a defendant violating the laws of two countries would only place himself in danger by leaving one land voluntarily and going to another, whereas a defendant in the United States is simultaneously subject to the two jurisdictions.[42]

Both the historical and two-sovereignties theories posit an abstract concept of two entities going their separate ways in enforcing laws, each with little concern for what the other does. Such a conceptual scheme, however, flies in the face of present reality; as a practical matter the broadening scope of federal activities means that, to an ever-increasing extent, both the national and state governments are policing and regulating the same activities as well as the same people. A witness' testimony before one government is often likely to be of great aid to enforcement officials of the other. The process whereby the governmental right and takes a positive interest in what the govrnmental left hand is doing makes a mockery f the separate sovereignties model. If cooperaion in law enforcement is desirable—as it is—hen cooperation in observance of the right it ndangers is equally needed.

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[42] J. A. C. Grant, *op. cit.* note 6 above, Vol. 5 (January, 1958), 23 f. Professor Grant also points out that in some circumstances a person fleeing the jurisdiction of a state can be brought back by federal officials under the provisions of the Fugitive Felon Act, 18 *U.S.C.* (1958) sec. 1073.

For no amount of logic or verbal skill can rase the obvious fact that the interests of the ational and state governments in effective law nforcement are opposed to the individual's ight against self-incrimination. If the opporunities of both these governments, either to ompel testimony, or to benefit from that licited by the other, are maximized, the result nevitably redounds to the detriment of the itness concerned. Resolving the problem of ederalism and self-incrimination therefore neans weighing conflicting interests and seekng an appropriate balance of values in our onstitutional system.

In the present disagreement between the najority of the Court, represented by Justice rankfurter, and the minority, of which Black s the major spokesman, this conflict of values as sharply emerged. The most succinct statenent of Frankfurter's position was enunciated n *Knapp*:

> If a person may, through immunized self-dislosure before a law enforcing agency of the tate, facilitate to some extent his amenability o federal process or vice versa, this is a price to e paid for our federalism. Against it must be put hat would be a greater price, that of sterilizing he powers of both governments by not recognizng the autonomy of each within its proper phere.[43]

Over against this attitude stands Black's, xpressed most cogently in the dissent to that ame decision:

> . . . Things have now reached the point where person can be whipsawed into incriminating imself under both state and federal law even hough there is a privilege against self-incriminaion in the constitution of each . . . I cannot gree that we must accept this intolerable state f affairs as part of our federal system of governnent.[44]

As a matter of public policy, the law enforcenent powers of neither government should be terilized, as Justice Frankfurter fears; nor hould the witness be whipsawed into incriminating himself under both state and federal law s Justice Black decries. If it is possible to work ut such an accommodation what kinds of judicial tests and rulings offer most promise for serving this purpose?

It is submitted here that the practice of collaborative investigations and prosecutions by national and state officials is not a price we have to pay for our federal system, if it means compelling a witness to testify in exchange for immunity and then seeing to it that this testimony is made available to another jurisdiction. Denying these governments the fruits of such an admittedly expeditious arrangement cannot fairly be said to sterilize their enforcement powers.

An alternative approach is to let the issue of compelling evidence turn on whether or not the testimony is likely to expose the witness to danger of prosecution by the other jurisdiction. This test was utilized at one time by some federal courts, and several states have followed the leadership of the Michigan Supreme Court in applying it to state investigations. At first blush it is a solution that appears to have merit, but there is some question as to how well it would actually serve to protect the witness involved. The jurisdiction engaged in the interrogating may have little or no knowledge of the probability of prosecution by another government. Moreover, it has a vested interest in seeking information and hence, regardless of the circumstances, may be tempted to find no danger to the witness so that testimony can be compelled. For these reasons, this judicial test seems inadequate.

From the defendant's point of view, of course, the most favorable approach would be to grant the witness who is compelled to testify complete immunity from prosecution by any level of government. This must be rejected, however, for it would interfere seriously with the enforcement activities of the government that did not have the fortune to be first in gaining jurisdiction over the witness: conceivably this government might have the more serious charge to bring against him. A case in point is *Feldman*, in which the New York creditors' proceeding was a civil action, whereas the federal case against the witness was criminal. Such a rule would open the door to the danger of "immunity baths," whereby witnesses could confess their venial sins to one jurisdiction and so save their cardinal offenses from prosecution in another.

Perhaps the most satisfactory solution is a compromise, namely, to say that testimony compelled by one jurisdiction should not be admissible as evidence in the courts of another, but that the second sovereignty should not be barred from prosecuting the witness on other evidence for matters related to those about which he was previously interrogated. This approach would certainly offer the witness more protection than the present rule affords, although it would still enable one jurisdiction to secure leads which another could follow in developing the other evidence. This risk seems preferable to that of foreclosing any action against the witness by the second jurisdiction, as a grant of complete immunity would do.

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[43] Cited *supra* note 34, pp. 380 f.

[44] *Ibid.*, p. 385.

This suggestion can most conveniently be implemented through a Supreme Court ruling broadening the interpretation of constitutional safeguards to prohibit the use of a nationally coerced confession in state courts; and following Justice Black's suggestion, either the Fifth or the Fourteenth Amendment could serve as the vehicle to accomplish this purpose. Such a ruling would obviate the necessity of depending upon state courts not to use such testimony: to date, only the courts of Michigan and Florida have been able to resist the lure of windfall evidence. In addition, *Feldman* should be overruled so as to construe the Fifth Amendment to forbid all federal courts from using confessions elicited by state courts. Such an interpretation should work little hardship on federal authorities since the same result was obtained by means of Congressional legislation in effect from 1868 until 1910.

At the same time, and for the reasons already suggested, the Fifth Amendment should not be interpreted to grant the witness complete immunity against prosecution by another lev of government than the one which is interrogat ing him. However, if the Congress determine that in particular fields such a result is neede in order to secure reliable testimony, and passe laws, restricted in coverage to those field which specifically provide for complete immunity, the Supreme Court should continue t validate them. But it should be necessary t make a showing of paramount national interes in the areas so marked out, because of th rather serious consequences such statutes migh have on state law enforcement operations. Th "paramount interest" test is sufficiently broa to give the courts some leeway in judgment where "partial" immunity is the normal rule

In *The Federalist,* No. 51, Madison state succinctly the general problem, of which w have been considering a special case: "In forming a government which is to be administere by men over men, the great difficulty lies i this: you must first enable the government t control the governed and in the next plac oblige it to control itself." The course of actio I have urged is designed to help meet this eternal dilemma as it applies to the issue of federalism and self-incrimination. It aims to enable u to slip between Frankfurter's horn of sterilizin the powers of the national and state governments, and Black's, of whipsawing an unfortunate witness into incriminating himself unde the laws of each.

THE NATIONAL SECURITY COUNCIL AS A DEVICE FOR INTERDEPARTMENTAL COORDINATION: AN INTERPRETATION AND APPRAISAL*

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The National Security Council constitutes the most ambitious effort yet made to coordinate policy on the cabinet level in the American Federal government. An examination of the experience of the NSC, together with the assumptions and expectations that went into proposing, establishing, and developing it, should help to clarify the problem of policy coordination under the President.

I. ORIGINS IN AMERICAN NAVAL AND BRITISH CABINET TRADITIONS

Various proposals for a special war cabinet in the United States, usually called a Council of National Defense, date back as far as 1911. The National Defense Act of 1916 established a body by such a name, headed by the Secretary of War. The statute was so watered down from the original proposals, however, that its uses were negligible, except later as a convenient peg for the National Defense Advisory Council (NDAC) and its subsidiaries that Roosevelt called into being in 1940. After World War I, both armed services revived the idea of a more powerful Council in an effort to find some base of support for their military policies, and as a counter to proposals for unification, proposals which they both opposed because these were founded on unrealistic expectations about the sums of money that could be saved through reorganization of the service departments.

When, at the close of World War II unification threatened again, the Navy Department turned back to that earlier defense against it, proposing, instead of a single department, secretary, and military chief, several interdepartmental committees capped by a National Security Council which would coordinate the services with each other and with the civil departments and agencies which played important roles in our external relations. The basis of the Navy proposals for postwar reorganization was the Eberstadt Report, a series of studies and a set of proposals commissioned in the summer of 1945 by the Secretary of the Navy, James Forrestal, and prepared under the direction of Ferdinand Eberstadt. The Eberstadt Report assumed that the proposed National Security Council could be a kind of war cabinet in which the responsibilities of the President could be vested. This assumption was not immediately apparent from a reading of the record, for the premise arose not out of any lack of awareness of the Constitutional power of the President, but out of an inclination to modify the Presidency as an institution. The National Security Council (NSC), the report noted, would be only advisory to the President, for it was also an accepted premise of the Eberstadt group, as well as of Forrestal and the Navy protagonists in the unification controversy, that the President could not be forced to share the Constitutional responsibilities of his office.[1] Their failure to understand the Presidency lay in assuming that the President could choose to share those responsibilities without incurring substantial losses to his status as President.[2]

Eberstadt's proposals actually included both a National Security Council for national strategic planning and a National Security Resources Board for national mobilization planning, and both are involved in this misconception of the Presidency. The misconception began with its British origins. "In the opinion of the many qualified British authorities," Myron P. Gilmore concluded in his study of foreign and military policies for the Eberstadt Report, "it has been proven once more that the peace-time machinery of the Committee of Imperial Defense," which had been transformed in both World Wars into a War Cabinet, "could be well adapted to the conduct of a major war." Ignoring the difference between cabinet and presidential government, Gilmore went on to recommend a national security council, the duties of which "would be formally described as advisory." He made clear that only in a formal sense would it be advisory: "The fact that the President himself heads the Council would for all practical purposes insure that the advice it offered would be accepted."[3] The Council would, moreover, supersede the Bureau of the Budget, for it would be the final reviewer of the State Department and military budgets prior to their submittal to Congress, and would advise the President "in writing" regarding them—"in writing" being specified presumably in order to make formal and final the NSC decision, and also make it available to Congress.

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* This article draws on the author's forthcoming book, *Organizing for Defense*, to be published by the Princeton University Press.

[1] Senate Naval Affairs Committee, *Unification of the War and Navy Departments and Postwar Organization for National Security, Report to Hon. James Forrestal, Secretary of the Navy*, Committee Print, 79th Cong., 1st sess. (1945), [hereafter cited as *Eberstadt Report*], p. 55. See also, *e.g.*, Forrestal's testimony, Senate Armed Services Committee, *National Defense Establishment*, Hearings, 80th Cong., 1st sess., p. 53.

[2] Forrestal, for instance, could assert without qualification that the President has a right to choose his Cabinet members, at the same time that he was supporting a statutory determination of the membership of the NSC which he conceived to be a war cabinet. *Ibid.*, pp. 40, 53.

In his own report, Eberstadt followed the same lines laid out by Gilmore. The NSC should make annual reports to the President, which should be published when secrecy considerations permitted,[4] as would undoubtedly be the case with most budget matters. Someone more concerned with Presidential prerogatives, or willing to recognize that an NSC decision was in fact confidential executive branch advice to the President, would never have suggested publication as a general rule on any grounds. If, as Eberstadt asserted, the NSC was to be advisory to the President, then he was in effect proposing to waive the Constitutional tenet that advice to the President is privileged, and to confine the claim for executive secrecy to matters classified in the interest of national security. Such a change was not the intention: Eberstadt evidently did not think of NSC decisions as advice, or of the NSC as advisory, but as a war cabinet which carried a kind of collective responsibility.

The position of the Navy Department on the status of the NSC, as presented to Congress in 1945, differed somewhat from the Gilmore study and from Eberstadt's recommendations. In the Navy presentation, the NSC was not intended to replace the Bureau of the Budget. Rather, it was to correlate the service budgets and integrate them prior to their submittal to the President *via* the Bureau of the Budget. Gilmore had the NSC superseding the Bureau of the Budget, and to the extent that publication of its reports would give it direct access to Congress, superseding the President himself. In the Navy's modified plan, the NSC was to perform the functions of an executive department secretary. Although, later, the National Security Act of 1947 was to provide for a Secretary of Defense, this Navy conception of the role of th NSC as a kind of substitute Secretary of Defense also carried over into the statute.[5]

Furthermore, within an essentially Britis conception of cabinet government other persistent problems of Executive Branch relationships were apparently expected to dissolve. Th confusion of the President's relationship to th NSC was never clarified. Similarly, although Eberstadt argued for "an intimate, active, and continuous relationship between those responsible for our foreign and our military policies' through the NSC,[6] he did not examine whethe such a relationship was possible with the closed staff system of the Joint Chiefs of Staff (JCS) Indeed, even the Chief Executive's relations with Congress were to be dealt with by diffusion rather than definition: following an approach to Congressional relations stylish in the early post-World War II period—not to speak of other times—Congress was to be kept in line by the participation of key Congressmen in the handling of national security matters in the Executive Branch rather than by the more formal relations with Congressional committees (although he did not specify that they would participate in the deliberations of the NSC). This short-circuit approach to Congressional relations, along with the council idea, was strikingly parallel to the early Council of National Defense proposals—which, in fact, Gilmore described in his study.[7]

In both Eberstadt's and the Navy proposals, he image of the President as Chief Executive was blurred. Irrespective of any connections with British or Navy Department traditions, n imperfect vision of the Presidency was a necessary outcome of attempting to cope with he dilemma in which Eberstadt and Forrestal were caught of their own choice. At once they wished to assert that the problem of coordinatng national security policy was very broad, and to deny the necessity for the executive power to coordinate. So long as they were conerned with the government as a whole, their dilemma was not too uncomfortable; but when t came to dealing with the military establishment, the discomfort grew. It is easy to state heir problem in retrospect, or in contrast with he Army proposals: they accepted as necessary a single military establishment, but denied that there had to be a Secretary of Defense. The duties which would normally be performed by the head of a major executive department they expected to be discharged collectively by the National Security Council.

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[3] *Eberstadt Report*, pp. 50, 55.

[4] *Ibid.*, pp. 7–8.

[5] The clearest statement of this conception of the NSC as a substitute Secretary of Defense was provided by Rear Admiral Thomas Robbins, the chief witness on the Navy's reorganization plan. See Senate Military Affairs Committee, *Department of the Armed Services, Department of Military Security*, Hearings, 79th Cong., 1st Sess. (1945), pp. 588–89, 596.

[6] *Ibid.*, p. 37.

[7] *Eberstadt Report*, pp. 51–52. Eberstadt recommended that the participation of key Congressmen was preferable to formal committee reorganization. This would have left a Military Affairs and a Naval Affairs Committee in each house of Congress to consider the substantive legislation concerned with national security. Beyond the advantages to the Navy in this approach (particularly since the Eberstadt Report recommended the establishment of a separate Air Force Department), the weak position in which each of these committees would be placed when attempting to deal with "coordinated" military policies should be obvious. For comparison, see D. S. Cheever and H. F. Haviland, *American Foreign Policy and the Separation of Powers* (Cambridge: Harvard University Press, 1952).

The NSC, the most remarkable and enduring element in the Eberstadt Report, was to become the king-pin of Forrestal's hopes, and only a little less important in the reorganization legislation of 1947. Yet it was thus based on a misconception about the Executive Branch in the American government. Whether the NSC "germinated" out of the British Committee of Imperial Defense, as Forrestal told Churchill, and as the Eberstadt Report indicates,[8] or was derived from long-standing Navy views about a Council of National Defense, makes little difference because both were inappropriate. Cabinet solidarity may be the cement of the British government, and interdepartmental committees may have certain uses, but the American Executive Branch is held together, if at all, by the authority of the President. The Eberstadt Report treated the powers of the President as something which could be embodied in a committee.

Viewed in terms of Navy traditions, the NSC represented two important characteristics, the Navy perception of its role in national policymaking, as expressed in its Council of National Defense proposals in the Wilson era, and the reliance on horizontal organizational structure —on voluntary coordination, so to speak. The latter was the major characteristic of the old Navy Department organization that had miraculously worked in World War I, but required substantial reconstruction in World War II; it was the assumption that people responsible only for segments could nevertheless produce a whole—a whole military policy in this case, a coordinated naval policy in the earlier one. In contradiction to the traditions of War Department administration, it asserted that a policy program could be achieved by an organization without a unified command structure at the center.

II. EARLY PRACTICE AND APPRAISAL

Once the NSC was established, the divergent purposes which had brought it into being all yielded, of necessity, to one: the Presidential purpose. For while the NSC could be less, it could be no more than what the President wanted it to be, if he knew his mind. No doubt some of its supporters had wanted to devise an arrangement which would prevent a President from running things in the disorderly fashion that seemed to characterize Franklin D. Roosevelt's performance in the White House as an administrator. In this sense, it was supposed to mold Presidential behavior. President Truman answered a fundamental question of defense policy-making concerning the NSC by making it a practice not to sit with the NSC during its first three years, until the Korean War began. Forrestal had anticipated that he would not attend simply because the burdens of the Presidency made the delegation of his responsibilities necessary. Yet, that was not the reason. Rather, it was because Truman felt his presence on the NSC might imply a delegation of authority which he did not intend.[9]

The first appraisal of the newly instituted NSC was conducted a year after its establishment. The Hoover Commission Task Force on National Security Organization, chaired by Ferdinand Eberstadt, reported in November, 1948. Its proposals promised considerable invigoration of the Secretary of Defense and the JCS as centers of initiative in the military establishment, not so much because of proposed changes in formal powers as by virtue of the fact—or was it only a dubious premise?—that more adequate staff arrangements would allow them both to get away from the excessive details with which they were overburdened.

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[8] Walter Millis (ed.), *The Forrestal Diaries* (New York, 1951), p. 145; *Eberstadt Report*, pp. 47–50.

[9] The reason has been explained variously: He did not want to stifle free discussion in the NSC; he wanted to be free to accept or reject the outcome of its deliberations; or more generally, he was concerned that the NSC might encroach upon Presidential powers, and this was a device to keep it from doing so. Truman mentions in his *Memoirs*, Vol. 2, *Years of Trial and Hope 1946–1952* (Garden City, 1956), p. 60, with disapproval that "there were times during the early days of the National Security Council when one or two of its members tried to change it into an operating super-cabinet on the British model . . . [by assuming] the authority of supervising other agencies of the government and seeing that the approved decisions of the Council were carried out."

These recommendations, however, or even those of Forrestal himself, could not surmount the difficulties the committee revealed by its own exposition. The National Security Act of 1947 had arranged the military establishment to work properly only if it had adequate policy guidance flowing from the NSC, which was to be, to modify Elihu Root's phrase, the "source of politico-military energy." However, the NSC did not prove to be such a source before the Korean War (or, indeed, after it). As will be explained later, there were fundamental reasons why it was not likely to be.

The committee acknowledged the fact that the flow had not occurred, and that it was needed. It called for a fuller utilization of the NSC to provide the necessary guide-lines for defense policies. Yet it tended to overlook both the need for these guide-lines for a proper functioning of the organization and the difficulties involved in obtaining them. In effect, therefore, it went on to hedge against the possibility that the NSC would continue to prove disappointing. In two major areas, budget integration and economizing, and strategic planning by the JCS, what the committee recommended amounted to going on without NSC guidance. In both cases the implications of such a course of action, as well as the way the role of NSC guide-lines was minimized, are worth noting.

The Task Force had reported that

> The President's directive of July 26, 1948, placing a ceiling of $15 billion on the National Military Establishment budget for fiscal year 1950 was apparently issued without the formal advice either of the Joint Chiefs of Staff (his "principal military advisers") or of the National Security Council, whose statutory function it is "to advise the President" in regard to foreign and military policies.[10]

This account misses the point concerning the Joint Chiefs. The ceiling had been set at least a month before the President's directive was issued, which in turn was only a matter of weeks after the JCS had asked for $9 billion as a supplement to an $11 billion fiscal 1949 budget. They had accepted Forrestal's cut on economic grounds. Later, in their fiscal 1950 estimates, they could not bring themselves unde $30 billions, or at least $23.5 billions if th McNarney Committee's figures are taken into account. Under these circumstances, which the Task Force committee acknowledged, the fac that the President had not obtained thei "formal advice" on a defense budget ceiling is meaningless. In the first place, he knew quite well how much they wanted; and in the second their figures were so far from what was possible (as the Truman Administration then saw it) that they were practically irrelevant. That the Task Force committee ignored these difficulties was an indication of its tendency to overlook the problems and limitations of politica leadership in defense policy-making.

Furthermore, because it overlooked them, it went on to compound those difficulties. Since the agencies concerned with national security "are not performing their respective functions adequately, either individually or in sound relation to each other," the committee observed,

> . . . national policy is not emanating, clearly and firmly, from above and descending effectively through the chain of agencies for translation into an efficient and economical military establishment measured against our national needs. As a result, the military have picked up the ball of national policy and are starting down the field with it. Justly concerned about our national security—but at the same time with an eye to individual service ambitions—they have sometimes made their own assessments and appraisals of our "objectives, commitments, and risks" and have translated them into their own ideas of our proper military strength.[11]

The Task Force Committee's solution, however, encouraged the procedures it condemned by making the operation of the military establishment easier in the absence of NSC guidance. Undoubtedly the solution was a responsible one. Making defense policy *more* dependent on a source of guidance which had thus far proven disappointing, in the hope that greater dependence would force improvements, could hardly have been considered seriously. Nevertheless, accommodating the military establishment to the absence of policy guidance was bound to encourage the dominance of military operational—or business management—imperatives over strategy and, ultimately, over policy.

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[10] The Commission on Organization of the Executive Branch of the Government, *Task Force Report on National Security Organization* (Washington: Government Printing Office, 1949), p. 38.

[11] *Ibid.*, pp. 37, 38, 42.

III. NSC STRUCTURE AND OPERATIONS: A RECENT VIEW

Organization. Because of the limited amount of information available about the National Security Council, it is all the more important o keep the objectives of our inquiry in mind. Our concern is with the NSC as a source of coordinated policy guidance. It should be apparent, however, that this is a particular case of a more general problem, the relationship of policy planning to executive leadership—for evidence on which we need not be restricted entirely to the sparse data on the record about the operations of the NSC itself. Since the evidence suggests that Truman was sensitive to the possible effects which this legislation might have on the powers of his office, and would certainly not have convened and used the NSC simply because Congress had told him to, one might well wonder whether the statutory basis for the NSC had any significance whatsoever. While it would be easy to exaggerate that significance, the long-run value of the statute is quite clear. As Ernest R. May has suggested, it stood as evidence of Congressional approval for the idea that the President should obtain guidance from a secret council regarding national security matters.[12]

The statutory membership of the National Security Council consists of the President and Vice President, the Secretaries of State and Defense, and the Director of the Office of Civil and Defense Mobilization. The Chairman of the Joint Chiefs of Staff and the Director of Central Intelligence are statutory *advisors* to the Council. Since the President may choose his own counsellors, however, this number has normally been augmented during the Eisenhower Administration by three principal officials and several lesser ones. The principal ones are the Secretary of the Treasury, the Director of the Bureau of the Budget, and the Chairman of the Atomic Energy Commission. The others include four special assistants to the President —for National Security Affairs, Security Operations Coordination, Foreign Economic Policy, and Science and Technology; the Assistant to the President—the "chief" of his White House staff—and the White House staff secretary; the Under Secretary of State and the Director of the United States Information Agency; and the two ranking officials of the NSC Staff, the Executive Secretary and the Deputy Secretary. In addition, the President from time to time invites other officials to participate on an *ad hoc* basis.

The principal subsidiary organs of the Council are the Planning Board, the NSC Staff, and the Operations Coordination Board (OCB). The NSC Staff remains essentially a secretariat. The OCB is a follow-up mechanism to see that NSC decisions are executed. Since it is an interdepartmental committee, it is largely a reporting and monitoring device. (Technically, it is not a part of the NSC structure.) The Planning Board consists of representatives of assistant secretary rank for the statutory members of the NSC, plus the Bureau of the Budget. "Observers" from other agencies may attend as their interests require. The Central Intelligence Agency and the Joint Chiefs of Staff regularly provide advisors. The President's Special Assistant for National Security Affairs chairs the Board. Its function is to conduct a thorough preliminary examination of all subjects before they are considered by the Council. Sometimes knowledgeable private citizens are appointed as informal advisors, called Consultants, who may, individually, work with the Planning Board, or, as a committee, present their views directly to the Council.[13]

The most crucial question about the National Security Council is bound to be what kinds of decisions it is capable of making—not in the sense of what subjects it deals with, but as an appraisal of what it accomplishes. At the outset we should distinguish between two elements here: the quality of the decision as a rational process and its practical effects. One could conceive, for instance, of a brilliant exposition of the preventive war thesis, based on a devastating logic, which is never refuted, yet which has negligible effect because it cannot be the policy of the American government. Of course, rationality and practicality are really related to each other. The hypothetical preventive war plan could probably be shown to be either rationally unsound because it ran counter to the values of the state and society which was supposed to support it, or impractical because it could never command the necessary support to make it effective. But the distinction between rationality and practicality will be useful for analytical purposes, providing its limitations are kept in mind.

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[12] Ernest R. May, "The Development of Political-Military Consultation in the United States," *Political Science Quarterly*, Vol. 70 (June 1955), p. 180.

[13] Most of the foregoing description is based upon a paper prepared for delivery at the 1959 Annual Meeting of the American Political Science Association by Gordon Gray, entitled "Role of the National Security Council in the Formulation of National Policy," (mimeo.), now published in Senate Government Operations Committee, *Organizing for National Security: Selected Materials*, 86th Cong., 2d sess., p. 62–71.

Two sides have become distinguishable in appraising the practicality and rationality of NSC decisions. The supporters of NSC are best represented by two of the men who have served as President Eisenhower's Special Assistant for National Security Affairs, Robert Cutler and Dillon Anderson,[14] both of whom have published accounts of NSC operations.

Between them, Cutler and Anderson have indicated that the sources for subjects and proposals in the NSC are many and varied enough so that we might be assured that important matters are not overlooked.[15] The working committee for the NSC is the Planning Board. It is the function of the Planning Board, we are told, to reconcile differences when possible, to find the common ground of agreement, and to put its finger on illusory disagreements. Then, "when an irreconcilable disagreement arises between the departments represented, the Planning Board must identify clearly the elements of the disagreement and spell out the alternative policy courses and reasons therefor so that they may be presented fully to the National Security Council."[16] "In the acid bath of the Planning Board," Cutler has written, "all points of view are represented, heard, explored and contested. There is in this process a guarantee against *ex parte* judgments, against imprecise guidance to the Chief Executive and against suppression of conflicting views."[17]

The picture we are given of NSC deliberations themselves is also of a searching examination of issues:

> When he became President, General Eisenhower transformed the Council into a forum f vigorous discussion against a background painstakingly prepared and carefully studie papers. He likes nothing better than the flashir interchange of views among his principal adviser Out of the grinding of these minds comes refinement of the raw material into valuab metal; out of the frank assertion of differin views, backed up by preparation that search every nook and cranny, emerges a resolutio that reasonable men can support. Differences views which have developed at lower levels a not swept under the rug, but exposed.[18]

The Cabinet Status Problem. What Anderso and Cutler have said about the NSC is reassu ing. The other side in the appraisal, howeve is not. From a variety of sources, some which obviously have access to members the Planning Board and the NSC itself, hav come the same criticisms: that the Plannin Board, in its pursuit of "common grounds," i inclined to "plaster over" significant issues an differences with carefully chosen ambiguities or language plagued with equivocations expressive of the lowest common denominator o agreement. In the NSC itself as well, it i claimed, there is a reluctance to exacerbat differences of view and opinion, with the resul that discussion is inclined to be more courteou than probing. Finally, it is sometimes claime that agencies are reluctant to bring issues before the NSC, that they even try to keep som important matters out of it. Franklin Lindsa of the Hoover Commission's Procurement Task Force staff observed in June, 1955, that "in recent months there have been situations reported in which policy formulation in vital and urgent issues has been seriously hampered by a lack of free exchange among the Departments represented on the Council."[19]

Undoubtedly there is some substance to these complaints. Among other things, they fit the larger pattern of behavior of the President's cabinet over the years. It is a well documented fact that cabinet meetings have seldom amounted to much because cabinet officers prefer to ansact their business with the President with- t the interference of other executive depart- ent heads.[20] The more a President actually fuses to discuss and decide anything that es not go through his cabinet system, the ore likely it is that the real issues will come there. No doubt the determination and pro- ssional inclinations of President Eisenhower *ve stood him well in his resolve to strengthen* e performance of his cabinet and of the NSC.[21] et it seems unlikely that he has stopped off l channels for maneuver. To begin with, the istence of two different "cabinets," the tradi- nal one which is intended to deal primarily ith domestic affairs and the NSC, which is pposed to specialize in national security, or reign, affairs, with dual membership for some, s left an obvious means of maneuver—the oice of the most favorable forum—with sults about which we can at least speculate. urthermore, there are disadvantages as well *advantages to choking off the individual* ntacts which weaken the cabinet system: dependent and timely information, and in- rmal and candid advice, to name only some. o Presidential prerogative is defended with eater consistency by *all* Presidents than the ght to secret counsel. If the right has any lidity *vis-à-vis* Congress, the press, or the ublic in general, it must also be valid within e executive branch. Yet any exercise of it ere undermines the cabinet system by allow- g individual officials the alternative of by- ssing the Cabinet or the NSC and transact- g business directly with the President.

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[14] Cutler held the position from 1953 until 1955, and from January, 1957 to July, 1958. Anderson held it from 1955 until September, 1956. From September, 1956 until January, 1957, William H. Jackson occupied it. Since Cutler's second resignation, Gordon Gray has held it.

[15] Dillon Anderson, "The President and National Security," *Atlantic Monthly,* CXCVII (January 1956), 2–3; Robert Cutler, "The Seamless Web," *Harvard Alumni Bulletin,* LVII, No. 16 (June 4, 1955), 449–51. More recent (though no more revealing) statements by Cutler and Anderson appear in Senate Committee on Government Operations, *Organizing for National Security,* Hearings, Pt. IV, *op. cit.,* pp. 577–603 and 608–18, respectively.

[16] Anderson, *op. cit.,* p. 3.

[17] Cutler, *op. cit.,* p. 444.

[18] *Ibid.,* p. 443.

[19] Task Force on Procurement, *Defense Procurement: The Vital Roles of the National Security Council and the Joint Chiefs of Staff* (mimeo., 1955), p. A-13. This and several other criticisms of NSC operations have been dealt with in Gray, *op. cit.* The larger setting of the problem as part of the policy-making process, which lends greatest credence to the criticism of the NSC, is given only passing consideration in this paper.

While it is clear that President Eisenhower as taken seriously the implications of his staff rocedures, it is equally clear that he has con- nued to allow a number of administration fficials direct access to him. Indeed, it may e that the preeminent influence in their time of the former Secretary of the Treasury, George F. Humphrey, and the late Secretary of State, John Foster Dulles, within the Eisenhower Administration, was due in part to their special privilege of access to President Eisenhower; as the converse was certainly the case. Even if that is true, however—if the President has been willing to talk business with a certain few of his cabinet members, but, *quite consistently,* not with the rest—that situation would not assure that those who were not intimates of the President would be forced to submit their problems to the cabinet process; for, as an alternative, they could make their arrangement with those who were.

Furthermore, the required access need not be given a literal interpretation. President Eisenhower may have been remarkably effective in avoiding *ex parte* presentations and decisions outside of his established staff procedures, yet have allowed that same thing to have resulted *from his following those procedures.* If Humphrey and Dulles, or anyone else, were the dominant forces in the NSC meetings, it could not matter whether they in fact saw the President privately very much or not. Their special "access" to the President in those meetings would provide, as an alternative to drag-out debates in the NSC, another way for agency heads to advance their interests with the President. The crucial act for them would then be the persuasion of Humphrey or Dulles, rather than an effective presentation in the Planning Board or the Thursday morning White House meetings of the NSC.

This analysis is not intended as a harsh judgment of public officials. We are not entitled to treat lightly the particular perspectives of public officials which derive from the responsibilities of their positions. President Eisenhower has directed that the members of the NSC and the Planning Board should forsake their agency perspectives and advise him from a government-wide viewpoint. It is doubtful, however, that he has been successful in wiping out by directive the agency perspectives of his cabinet or council members. If the NSC operates as has been described, it does so not because of the bad faith or scheming nature of its members, but despite their best efforts, and because of the very forces which have made the NSC seem necessary. The heavy responsibilities and work loads of conscientious men determine in some degree what they will know and think about issues and proposals related to their duties. Moreover, whatever the value of NSC work, the statutory responsibility of each member of it is for the proper operation of his department. His first loyalty may be to the President, but he is responsible to the President for administering an agency in a way that he is never responsible for NSC actions.

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[20] Much of the documentation is summarized Richard J. Fenno's study of the cabinet since aft: *The President's Cabinet* (Cambridge: Har- ard University Press, 1959). For a summary nalysis in a similar vein see Arthur M. Schles- ger, Jr., *The Coming of the New Deal,* Vol. II of *he Age of Roosevelt* (Boston, 1959), pp. 518–20 nd 522ff.

[21] So, "The President has determined that he ill not assign an area of national security policy rmulation permanently as the responsibility of department, agency, or individual outside the SC mechanism or make decisions on national ecurity policy—except in special cases or rgency—outside the framework of the Council." ray, *op. cit.* (mimeo), p. 4.

Concern with the protection of the agency program or viewpoint does not end with the success or failure of the effort to gain access to the forum most favorable to the agency. Once the forum is chosen, the agency will wish to maximize the achievement of its interests there, an objective which may not be identical with the systematic exposure and preliminary exploration of all issues and problems on their merits in the Planning Board, or the free and frank discussion before the President in the NSC of issues and problems not resolvable on their merits in the Planning Board. Indeed, expediency could dictate the withholding of pertinent information which might weigh against the agency's interest or established position, the avoidance of some issues and the suppression of others in the Planning Board, and finally, the settlement for some kind of half-of-a-loaf in the Planning Board because of an estimation that a better bargain can be struck there than in the Council. And the same kinds of considerations could inhibit debate in the Council itself. Always the alternative may be available of assuring that in fact no decision is really made in either the Planning Board or the NSC by settling for language in the staff paper which is sufficiently ambiguous so that in effect it preserves the latitude of choice desired by one's agency.

The President's Special Assistant has attempted to enforce standards of precision in the drafting of NSC papers,[22] which seems to suggest that he would oppose any such efforts to "plaster over" issues with the language of the draft. But an ambiguous draft agreement is only one of several tactics available for avoiding decisions by committee. Representative councils must depend to a large degree upon their members for access to, and even the interpretation of, the relevant facts, while the ability to eliminate ambiguity will depend upon a mastery of the facts. Those upon whom the Planning Board and the NSC depend for information are therefore in a position to influence, and in some cases to control, the degree of precision with which a problem is presented, discussed, and settled, despite the best efforts of the President's Special Assistant, or of anyone else, to achieve precision in the settlement.

Moreover, the Special Assistant is himself likely to contribute unintentionally to t ambiguity which he seeks to avoid. He is sponsible for expediting the work of the Pla ning Board and the NSC. In carrying out t two functions of the Planning Board, to ide tify the area of agreement, and to explore t area of disagreement on any matter to be co sidered by the NSC, his objectives of p cision and expeditiousness may conflict. We a assured that the Special Assistant does n desire to suppress disagreements, and we m take that assurance on its face. Yet, unavoi ably, he must expedite the processes whi distinguish between real and superficial di agreement and between ambiguous and cle language. In deciding when a draft is suf ciently precise, and when the differences covers are "illusory" or non-existent, he cann resolve all doubts against precision and ill sion. And when he does not, like the depar ment which seeks to avoid an NSC decisio he may be condoning ambiguity and the su pression of important issues.

There can be, finally, the problem of thi parties. The subjects of NSC deliberations i volve some departments more than others, an sometimes one of them most of all. At any rat the questions of jurisdiction, expertise, an authority are not likely to be absent from t deliberations of the Council. The President directive referred to above was probably i tended to encourage "third-parties"—that i departmental representatives in the Plannin Board or the Council—to voice their opinio on questions before them even when the particular agency provides them with no speci knowledge or expert judgment, and has n special concern about the question at han Surely the implications of the staff work don in connection with NSC operations sugges this interpretation of the President's directiv if there is any room for doubt as to its meaning. It appears, however, that under the pressure to accomplish its work, the Plannin Board has been quite resentful of "third party contributions, and that in fact it has operate with unwritten rules of jurisdiction on thi score which, when violated, have caused considerable friction.

There is no reason to doubt that the sam pressures have operated to some degree in th Council. One reason for the effectiveness o this kind of inhibition upon frank discussion it should be noted, is that it may appear a only the desire of modest men not to soun foolish, or to interfere with matters whic would suggest a lack of confidence in thei colleagues. Once the third party is eliminate from the discussion in this manner, however nd the field is left to the agencies most directly nvolved, they will be the ones which are, by efinition, working most closely together anyway on the matter, and will have every advanage in cooperating to bring the problems to he NSC when and how they, by agreement, want to.[23]

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[22] Anthony J. Leviero, "Untouchable and Unquotable," *New York Times Magazine*, January 30, 1955, p. 62.

While some of the foregoing analysis has been speculative in the sense that it has not been based upon knowledge of specific events, t is nevertheless based upon assumptions bout loyalty and perspectives which are well stablished, and which have, for instance, long been evident in the operation, or lack of operaion, of the President's cabinet and in the JCS. They are intended to suggest that there are ome inherent difficulties in the operation of the NSC—particularly in the making of clear-cut lecisions, which lend credence to the continung criticisms of the NSC on that score.

The Democratic Policy-Making Problem: The Required Range of Consensus. The dimensions of consensus and commitment necessary for policy-making in a democracy constitute a further limitation on the value of NSC "decisions" for the administration of the military establishment. The neo-realism in American foreign relations of the post-World War II period showed how artificial was the American propensity to consider official pronouncements to be foreign policy. Policy, it was asserted, s more than words: it is also the power and determination to achieve one's objectives.[24] The extraordinary faith in secret plans involved in the higher evaluations of the NSC may be another version of that "legalistic" or "moralistic" fallacy in American foreign relations which the neo-realists seemed to have destroyed so effectively.

The President's setting his signature to an NSC document does not make it policy. What does is his will and capability to get it executed, coupled with effective support from Congress. How much of the last is necessary, of course, may vary, and in any case is not precise. Yet the requisite support is not likely to be obtained for any but the most exceptional cases through, for instance, the secret briefing of a handful of Congressmen. The members of the two houses are inclined to be suspicious of the judgment of their own kind when the latter appear to have been "captured" by the executive branch. Even if that were not so, the necessity for Congressmen to come to terms with their constituencies would still limit strictly the usefulness of such devices as secret briefings and special liaison arrangements. Unless an NSC "policy" happens to coincide with a general public viewpoint, sooner or later it must run the gamut of public discussion. In this respect, the NSC got off to a bad start. The first general policy statement attributed (somewhat inaccurately) to it, NSC-68, which was completed in April, 1950, advocated substantial increases in expenditures in a variety of programs connected with national security, a policy which was clearly at variance with prevailing conceptions of public opinion held contemporaneously in Congress and in the Administration. As to what the Administration might have done to bring the secret policy paper and the public consensus closer together had the Korean War not occurred, we can only speculate. As it was, the war made them converge. Once the war started it was necessary only to make general references to the larger picture of the Soviet threat and to a consequent need for a build-up of a far more general character than the Korean War required, and, privately, to read the document in the light of the entirely new situation, in order to close the gap completely. Even if it were a reasonable expectation, one should not hope that history would again solve in this manner the problem of translating a secret "policy" into a national commitment.

The problem, it should be emphasized, is not properly seen in the terms by which early advocates of a Council of National Defense, and, later, the NSC visualized it: how to gain wide support, through the "non-rational" channels of politics, for "rational" defense policies constructed by a few men privately where they are free from political pressures. If it were indeed possible to construct a security council for the nation which was free from political pressures yet powerful enough to be useful, the NSC is not it. Nor have we evidence that it has always had the edge in rationality. The political vacuum in which the NSC operates is not caused by a total lack of politics in its atmosphere, but only by barriers which prevent the continuing readjustment of atmospheric pressures within the NSC to those outside it. The Eisenhower Administration's commitment through NSC procedures to the massive retaliation doctrine announced by Secretary of State Dulles on January 12, 1954, in a widely publicized (and criticized) speech was evidently the acceptance of a favorite and long-held notion of Mr. Dulles (which he had shared with other Administration officials). Its acceptance was a device for reconciling both the somber security perspectives of NSC-162, the annual survey of American strategy which had been approved the previous October, and the disappointing failure of the new JCS team to cut the defense budget, with demands to cut the federal budget substantially, pressed by Budget Director Joseph Dodge, and the Secretary of the Treasury, George Humphrey.

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[23] With this in mind it may be worth speculating about the way the NSC deals with foreign aid matters. The State Department's dominance in the making of policy has statutory origins. Its relations with its major potential rival in policy-making are of a particular character. The office of the Assistant Secretary of Defense for International Security Affairs (ISA) is in this area something of a State Department outpost in the Defense Department. ISA also happens to represent the Defense Department on the Planning Board. It is doubtful that in the Planning Board either the State or the Defense Department is much interested in exploring in front of other officials, in particular normally hostile ones like the Bureau of the Budget or the Treasury Department, the merits of the foreign aid programs in anything like a candid or searching way. If this is true, then consideration of foreign aid matters in the Council itself would be severely limited in its value by the inadequacy of the staff work upon which the Council undoubtedly relies so heavily.

[24] Hans J. Morgenthau, *In Defense of the National Interest: A Critical Examination of American Foreign Policy* (New York, 1951), pp. 22–39, 91–112; George F. Kennan, *American Diplomacy 1900–1950* (Chicago: University of Chicago Press, 1951), pp. 95–103.

In the face of powerful and numerous criticisms of the massive retaliation doctrine, including, we may presume, the private counsel received at a foreign ministers' conference in Berlin that winter,[25] Dulles' further "clarifications" of the meaning of his original speech in fact substantially modified it. One of the most important "clarifications" of it was published in *Foreign Affairs* in April, 1954, just as the Administration was learning the inadequacy of the massive retaliation doctrine in the hard test posed by Dienbienphu. On the one hand, the publication of the doctrine by Dulles had exposed it to critical comment sufficiently persuasive so that Dulles chose to modify his public statements rather than defend it publicly, although the military posture the Administration continued to maintain was substantially that of reliance upon a massive retaliation capability.[26] On the other hand, in the clutch of the crisis in Indo-China, th Administration had shown itself not strongl enough committed to its newly adopted strategic concept to attempt the rescue of Dienbienphu. It had flinched in two most significan respects. First, apparently the President in th NSC rejected Admiral Radford's proposal t break the siege of the doomed fortress wit massive air strikes, being persuaded by Genera Ridgway that American military commitment could not stop there. Eisenhower was evidentl convinced that ground forces would be needed and that supplying them would be extremel difficult. At least, it appears, he was so convinced as to insist on encumbering his commitment to Radford's proposal with heavy qualifications: the United States would assist th French in Indo-China provided we could gai the support of allies in this undertaking.

At the same time, the Administration wa evidently willing to carry out its NSC "policy' towards Indo-China if it could gain privatel the support of powerful members of Congress but it was unwilling to do so if it had to mak the strong public commitments which would b required to obtain formal Congressional support,[27] a condition the subtleties of which undoubtedly were missed in the phraseology of the NSC paper. Thus what was perhaps the most important decision made through the NSC machinery during the first term of the Eisenhower Administration did not stand the test of either its first public exposition or its first application. Each test, it should be noted, assayed some aspect of its rationality as well as probed the depths of the Administration's commitment. The least we can conclude from what is known about the NSC's role in the Indo-China crisis and the formulation of the massive retaliation doctrine of the Eisenhower Administration is that in this case its freedom from partisan political considerations did not assure it a greater rationality than the more public channels of government decision-making would permit it.

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[25] *Cf.* Anthony Eden, *Full Circle* (Boston: Houghton Mifflin Co., 1960), pp. 72–80, 98, 99.

[26] The speech was printed in the *New York Times*, January 13, 1954. The article revising the massive retaliation doctrine is John Foster Dulles, "Policy for Security and Peace," *Foreig* *Affairs*, XXXII (April, 1954), 353–64. Othe Dulles pronouncements during this period bearing on massive retaliation are summarized and criticized in William W. Kaufmann, "The Requirements of Deterrence," published as ch. I in *Military Policy and National Security* (Princeton: Princeton University Press, 1956), which he edited; and in Bernard Brodie, *Strategy in the Missile Age* (Princeton: Princeton University Press, 1959), pp. 248–63. Robert E. Osgood, *Limited War: The Challenge to American Strategy* (Chicago: University of Chicago Press, 1957), pp. 201–33, is a summary and appraisal set in a broader context. The literature of criticism of reliance on massive retaliation is itself massive. In addition to the foregoing, the most prominent are Henry A. Kissinger, "Military Policy and Defense of the 'Grey Areas,' " *Foreign Affairs*, XXXIII (April 1955), 416–28; and Kissinger, *Nuclear Weapons and Foreign Policy* (New York, 1957), pp. 86–136. For background on Dulles' views on strategy, on NSC and on JCS action see Glenn H. Snyder, *The Military "New Look" of 1953* (mimeo., Institute of War and Peace Studies, Columbia University, 1958), pp. 8–43 and *passim*.

[27] Chalmers M. Roberts, "The Day We Didn't Go To War," *The Reporter*, XI (September 14, 1954), 31–35. The NSC deliberations are described in Marquis Childs, *The Ragged Edge: The Diary of a Crisis* (Garden City, 1955), pp. 153–58.

Furthermore, this account is illustrative of the fact that there can be no entirely workable separation between the planning and the operational stages of national security policy, for in politics ends and means must be tested against each other: it is in the interaction of that testing that consensus becomes wide enough and commitments strong enough for policy to become a reality. Put more prosaically, defenders of the NSC are on sound enough ground when asserting the President's right to confidential counsel from his appointees, for it is the only way he can be sure of getting frank advice. They are also reasonable in insisting that the NSC, as they conceive it, must operate in secret for security reasons as well. But they are misled if they believe that the result is the government's policy. It may be the President's policy, although that is doubtful: What President is so infallible that he can predict in the political isolation of the NSC what will be politically possible in the future, or so rigid that he will never change when he is wrong? The give and take of the NSC chamber, in which, so we are told, all the issues are brought out and tested, the advantages and disadvantages weighed—including the fiscal and the program viewpoints—must be repeated for the interested public in the Congressional-Executive dialogue and the other forums of our public life. The quality of the public performance may be considerably inferior to the Thursday morning meetings in the White House. Undoubtedly public discussions must be carried on without the benefit of access to a considerable amount of relevant information because of security reasons, although they in turn will make use of information which was not available or considered in the privy councils of the White House. But the relative quality of the public and the secret debates over foreign policy has nothing to do with whether the latter will or ought to occur, for they are a political necessity.

Despite these obstacles to effective NSC operation it would be unwise to conclude that the NSC is inoperable, or that its acts must be insignificant. Departmental heads are not simply prisoners of their situations. Indeed, their status within their own agency can be enhanced by their participation in the NSC. The fact that the department head has demands placed upon him in the NSC to rise above departmental viewpoints can be a part of that enhanced status, for all the more must he be reckoned with as the President's spokesman within his own agency. Furthermore, the staff mechanisms of the NSC can make substantial inroads upon the obstacles to effective NSC operation described above. The momentum of staff work, by having available facts and arguments from the previous consideration of the same or similar subjects, can the more effectively evoke current information from the departments and evaluate current departmental judgments and arguments. For instance, simply to record and keep the positions of an agency on file, together with the evidence it provides on a particular subject over time, can build up a record which would at least limit its freedom of maneuver and might force it, increasingly, to discuss the subject on its merits. At the same time, the determination of the Chief Executive to make use of the NSC can in some cases force his agency heads to make use of it also. Finally, there is a *prima facie* argument that the greater the speed and flexibility which the NSC and its staff mechanisms develop—specifically, the more continuous their review of established policies becomes—the more the gap between secret plans and political realities is likely to be closed.[28]

But all of these prospects for overcoming difficulties in the operation of the NSC are substantially limited in what they can accomplish. While it would be unwise to overlook the potentialities of the NSC, or of a cabinet, it would be foolish to ignore their limitations. Like any balance, this one cannot provide the assurance of stability.

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[28] "Before the end of President Eisenhower's first administration, virtually every policy of the previous administration had been reviewed and revised by the new members of the Council, in some cases by developing substantially new policies. Since that time, most of the policy statements approved by the President during his first term have undergone at least one revision and, in many cases, more than two." Gray, *op. cit.* (mimeo), p. 10.

Those who praise the NSC are likely to underrate its limitations, even while paying deference to the notion that it is imperfect and can be improved.[29] On the other hand, those who find it wanting conclude too readily that it is dispensable.[30] As real as are the inherent limitations on the effective operations of the NSC which have been mentioned above, the need for it, or for something very much like it, is equally unavoidable. While the mind of one man may be the most effective instrument for devising diplomatic moves and strategic maneuvers, and for infusing staff work with creative purpose, its product is bound to be insufficient to meet the needs of the vast organizational structures and the military, economic, and diplomatic programs which are the instruments of foreign policy. The most sensitive and subtle mechanism is ineffective when overloaded. And as ponderous in comparison with a single mind as are the actions of a large-scale organization, or even a committee, nevertheless coming to terms with the requirements of the bureaucracy is as much a necessity as is flexibility and speed in foreign policy-making.

Since this accommodation to the operational aspects of national security is unavoidable, it only remains to determine the means for accomplishing it. Aside from trivial variations of either, there is only one real alternative to the NSC type of coordinative machinery, a Presidential staff in the Executive Office of th President with no operating responsibilities While it would avoid the loyalty conflicts (anc their many ramifications) of a council of responsible operators such as the NSC, a Presidentia staff would have its own inherent difficulties It would be outweighed in any serious dispute with a department, unless it destroyed the President's confidence in his department head. Its "plans" would lack the sense of reality and the prestige which comes with responsibility. It would have information-gathering problems of its own. It would not necessarily identify itself with the President's viewpoint. And it could become as much or more isolated from political realities than the NSC.

In the end, the question of how best to achieve interdepartmental coordination of national security policy must be answered by weighing these two major alternatives against each other, or by finding the optimum mixture of them. As the query can be put in the more practical terms of increments, should the NSC staff be strengthened with a view to its becoming an independent force in NSC deliberations? Or should civilians without administrative responsibilities be added to the Council? Put in this form the problem is one of the most persistent and universal questions posed in administrative organization: Is coordination to be achieved through lateral clearance or line command? The disadvantages and impossibilities of line-command solutions are usually more visible than the obstacles to effective lateral accommodation. The Eisenhower administration can be credited with having developed the capabilities of both methods by improving the staff mechanisms of the NSC along with its increasing use of the Council. Yet it seems to have been much more aware of the limitations of staff agents than of advisory councils to a presidential executive.

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[29] *E.g.*, Anderson, *op. cit.*; Cutler, *op cit.*

[30] *E.g.*, Hans J. Morgenthau, "Can We Entrust Defense to a Committee?," *New York Times Magazine*, June 7, 1959, pp. 9, 62 ff. Morgenthau did not specifically suggest its abolition, but, instead, that some one other than the President be made responsible for what the NSC is now supposed to accomplish.

CONGRESSIONAL COMMITTEE MEMBERS AS INDEPENDENT AGENCY OVERSEERS: A CASE STUDY

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This paper is concerned with the behavior of members of a Congressional committee in their role as overseers of an independent regulatory commission. Congressional committees seem periodically to become aware of the presence of the regulatory agencies and after a more or less spectacular examination of one or another of them, allow them to slip back to an undisturbed and unnoticed routine.[1] Their status as "independent" agencies leaves to Congress the formal responsibility both for checking on the fulfillment of their legislative mandates and for preserving them from domination by their clientele and the President. Too little notice has been taken, however, of the nature of the control of these regulatory agencies emanating from Congress.[2]

This study results from an examination of the House Education and Labor Committee as it reviewed the performance of the National Labor Relations Board in 1953. My sources are the public hearings of the Committee in the 83d Congress and interviews with Committee members over a two-year period thereafter.[3] This does not purport to be a study of control of even one agency through all of the routes by which Congress can assert control. Other patterns of behavior than those identified here may appear in the review by special investigative committees or appropriations committees, for example. As with all case studies, hypotheses tested in a specific situation—one standing legislative committee dealing with one regulatory agency—are, at best, suggestive rather than conclusive. They hopefully will stimulate further testing against the experience of other committees with other agencies. And it may very well be that the experience of the NLRB constitutes a very special case, because of the highly political nature of the agency and the open hostility that divided the committee.

The NLRB has been assigned regulatory functions in an area marked by continuing struggle among the regulated parties themselves and between the regulated and the regulator. Administering the rights and prohibitions of the Wagner and Taft-Hartley Acts has kept the agency in the middle of a crossfire between unions, employers, and Congressional committees. The activity of private groups, administrative agencies, and legislative committees to influence the decisions of Congress and, in turn, among affected groups and Congress to influence agency action are familiar subjects in recent scholarly writing.[4] What is said and done by the relevant legislative committee is, to the other major contestants in the struggle, one of the most important facets of these multipartite relations. The behavior of the members of the labor committees in reviewing NLRB action is therefore a useful focus for inquiry.

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[1] See Marver H. Bernstein, *Regulating Business by Independent Commission* (Princeton, 1955), p. 83; and Robert E. Cushman, *The Independent Regulatory Commissions* (New York, 1941), p. 678.

[2] But see V. O. Key, "Legislative Control" in Fritz Morstein Marx, ed., *Elements of Public Administration* (Englewood Cliffs, N. J., 1959), p. 321f; Bernstein, *op. cit.*, pp. 150–54.

[3] The virtues and limitations of public hearings as a guide to committee members' behavior have been recognized, see Ralph K. Huitt, "The Congressional Committees: A Case Study," this Review, Vol. 48 (1954). One of the hearing's most serious limitations (viz , the statements and questions of the committee members in open, reported sessions may not be accurate reflections of their real attitudes) can be reduced to a considerable degree by subsequent interviews with members of the committee. The interview itself is subject to many limitations, particularly when held a year or more after the event. The committee member is then on guard to an extent he may not have been in the give-and-take of a rough hearing; he has had a chance possibly to reflect on his behavior at the earlier hearing and might report to the interviewer a revised, dressed-up-for-scholarly-consumption disposition on the questions asked him. In this case a semi-structured interview was used. Preliminary questioning of committee members about their role in the 1953 committee hearings generally resulted in the Congressmen freely volunteering their views about the need for agency control. More direct questions were required, however, to get specific statements about what they thought were necessary and useful means for exerting this control.

[4] See e.g. Bernstein, *op. cit.*, ch. 3 and pp. 150–59; J. Leiper Freeman, *The Political Process: Executive Bureau-Legislative Committee Relations* (Garden City, 1955); Bertram M. Gross, *The Legislative Struggle* (New York, 1953); Charles S. Hyneman, *Bureaucracy in a Democracy* (New York, 1950); V. O. Key, *op. cit.*; Earl Latham, *The Group Basis of Politics* (Ithaca, 1952); Avery Leiserson, *Administrative Regulation* (Chicago,

The questions dealt with here are these:

How does the Congressman use his committee position for purposes of examining the performance of the independent agencies that come within his committee's jurisdiction? Do committee members in reviewing agency activity behave differently toward independent agencies with so-called judicial functions than toward other administrative agencies? What attention do committee members pay to the norms calling for special handling for the independent agency on the part of those immediately concerned with its work: Congress, as well as the President, courts, and the agency clientele?

I. NORMS AND COMMITTEE MEMBERS' BEHAVIOR

Clientele and Congressional efforts to influence administrative action are at least as pronounced and aggressive when aimed at the independent regulatory agencies as they are when directed at so-called executive agencies. In spite of this a feeling seems to exist that something about the independent agency's court-like functions plus its formal location outside of the President's domain entitle it to different treatment at the hands of Congress as well as the Chief Executive. This view, while originating with the reform groups that initially pressed for regulatory legislation, has since been sustained by agency officials, the organized Bar, students of administration and, through formal expressions at least, by Congressmen.[5] Although the characterization of these agencies as independent in any important sense has by now largely been rejected by scholarly writers,[6] the view seems to linger that agencies like the NLRB are different and should be dealt with by their clientele, the President, and their Congressional overseers in a special, careful way.[7]

Congress, itself, gave at least tacit support to this special status in the regulatory statutes and in the Administrative Procedure Act by making agency orders subject to limited review by the Federal courts. The Congressman at the legislative stage seems willing to associate himself with a norm of conduct which he apparently rejects in his later role as agency overseer. The Congressman, frequently as lawyer participating in the regulatory legislative process, formally accepts a norm that makes regulatory agency orders reviewable by courts rather than by Congressmen. However, his conception of his role as representative reviewing agency behavior—a conception that associates him with particular group and constituent interests—involves no requirement of self-restraint on his part. Acting as overseer, the norms of the representative prevail over those of the lawyer or the administrator.

The so-called independent status of the regulatory commissions is generally assumed to apply against intervention primarily by the President in their decision-making activity.[8]

1942); Emmette S. Redford, *Administration of National Economic Control* (New York, 1952); Bernard Schwartz, *The Professor and the Commissions* (New York, 1959); David B. Truman, *The Governmental Process* (New York, 1951), chs. 12, 14; Roland Young, *The American Congress* (New York, 1958).

[5] For example, in 1950 the Committee on Administrative Law of the New York City Bar Association thought that, in reference to agencies with quasi-judicial functions, "legislative committees ought not to try to influence the decisions of pending cases, issues before an agency, or the manner in which a particular case is being handled —'a precept not universally respected in practice.' Nor should decided cases be criticized with a view to influencing an agency to reverse a previous ruling or to limit a trend in agency decisions, except when a committee is genuinely considering amending a statute." *cf.* George B. Galloway, *The Legislative Process in Congress* (New York, 1955), p. 665f. See also *infra.*, the colloquy cited in note 12.

[6] See Bernstein, *op. cit.*, p. 130f; James W. Fesler, "Independent Regulatory Agencies," in Morstein Marx, ed., *op. cit.*, pp. 192–5, 205–7; Redford, *op. cit.*, pp. 277–83; Truman, *op. cit.*, pp. 416–21.

[7] According to the 1936 Byrd Select Senate Committee to Investigate the Executive Agencies of Government, "It is probable that the independence of these authorities [the independent regulatory commissions] is necessary to give stability to long range policies and relative freedom from pressure groups." The three-man Presidential Board of Investigation and Research into problems of transportation stated in 1944 that a course of necessary reform in the regulation of transportation required the "removal of economic regulatory activities as far as possible from spheres of political contest." Quoted in Bernstein, *op. cit.*, p. 128f.

[8] *Cf.* Schwartz, *op. cit.*, p. 237; Bernstein, *op. cit.*, p. 151f; *Independent Regulatory Commissions*, Report of the [House] Special Subcommittee on

The kinds of specific restraints upon Congress which this status suggests are rarely considered.[9] One notable instance in which a Senator did recognize the formal legalistic standard for Congressional behavior toward the regulatory agency and protested departures from this norm is found in a discussion at a 1949 committee hearing between Senator Wayne Morse and NLRB Chairman Paul Herzog:

> SENATOR MORSE. My question goes to whether or not you think it is a good policy to have a quasi-judicial board brought before a congressional committee and examined in regard to the reasons that may have led the Board to render a certain decision or take a certain administrative course of action.
>
> MR. HERZOG. I have no particular personal objection to anything of that kind. I see no reason why any congressional committee can't talk to any administrator about any problem, whether it is a joint committee, watchdog committee, or whatever it is called.
>
> The difficulty arises when the powers of a committee are created so as to make it possible for that committee to feel that it can question the Board about a decision. Yet it seems to me that once a decision is issued it is out, and the public and the press can question us.
>
> A very offensive thing, of course, would be for the Board to be questioned or compelled in any one direction about a case before it is decided.
>
> SENATOR MORSE. That would be bad, too, but I certainly disagree with your conclusion if you think that questioning the Board about its decisions after they are rendered will not endanger future decisions.
>
> MR. HERZOG. Well, I didn't say I was in favor of it, Senator. I simply said that I thought if a regular committee of Congress could do it—I suppose it has been done for years with the National Labor Relations Board—I don't think it makes much difference whether it is a joint committee, or a regular committee of the Senate or of the House.[10]

The 1958 House Legislative Oversight Subcommittee did extend its objections to *ex parte* representations directed at the independent agencies by their regulated clientele to include similar representations originating in Congress. In the Subcommittee hearings and reports, however, significantly little attention was paid to instances of Congressional intervention in these agencies' affairs. It can reasonably be concluded that Congressmen, in spite of formal disclaimers, seek to preserve for themselves the exclusive right to intervene in regulatory agency business. Their refusal to accept in practice any restraints upon their dealings with these agencies has resulted in a standard of expected behavior which the legislators insist upon from others as a means of preserving the "independence" of the agencies but do not apply to themselves in any way other than by formal declarations.

II. THE HOUSE LABOR COMMITTEE AND THE NLRB IN THE 83D CONGRESS[11]

The House labor committee in 1953 held the NLRB to account for its conduct. This was a case of Republican-Southern Democratic control over a Truman-appointed agency, but there is no reason to believe that committee review of a quasi-judicial agency in this way was not sanctioned by most of the liberal Democratic members.[12] Nor could it be said that, given similar circumstances, they would not have conducted the same kind of examination of the administration of a Republican-appointed agency. Even though we are concerned here with the House committee in the 83d Congress, the committee's conduct represented the continuation of practices of legislative control of the NLRB that were begun in 1938, were renewed in 1940 and 1947, and were resumed with the new Act in 1948 and 1949.[13]

Legislative Oversight of the Committee on Interstate and Foreign Commerce, 85th Cong., 2d Sess., pp. 18, 81; Commission on Organization of the Executive Branch of the Government, *Task Force Report on Regulatory Commissions* (Appendix N), 1949, pp. 20, 31.

[9] But see Schwartz, *op. cit.*, esp. p. 235f, and Commission on Organization of the Executive Branch, *op. cit.*, p. 20.

[10] *Labor Relations*, Hearings before the [Senate] Committee on Labor and Public Welfare, 81st Cong., 1st Sess., pp. 199–201, hereafter cited as *Senate Labor Committee Hearings*, 1953. Morse had himself earlier served as a member of the War Labor Board.

[11] Apart from the usual committee hearings and reports of the 83d Congress, the material for this and the succeeding sections is taken from interviews with ten key members of the committee. Unless reference is made to published committee documents and interviews with particular committee members, these sections are based on the writer's talks with these members: Republicans Samuel K. McConnell (Pa., Chairman), Ralph W. Gwinn (N. Y.), Clare F. Hoffman (Mich.), Wint Smith (Kan.); Democrats Graham A. Barden (N. C.), Augustine B. Kelly (Pa.), Cleveland M. Bailey (W. Va.), Roy W. Wier (Minn.), Phil M. Landrum (Ga.), Lee Metcalf (Mont.).

[12] See below, pp. 919–920.

[13] See Harry A. Millis and Emily Clark Brown, *From The Wagner Act to Taft-Hartley* (Chicago,

The year 1953 marked the first year of a Republican national administration since before passage of the Wagner Act, and the last year in which the administration of the Taft-Hartley Act, passed by a Republican Congress with Southern Democratic help, was in the hands of an NLRB and General Counsel appointed by a Democratic President. In the course of committee hearings on revision of the labor law the Republican leadership was joined by conservative Democrats in undertaking a review of the functioning of the agency. Yet no changes in the Taft-Hartley Act emerged from this Congress and none emerged from two subsequent Congresses, at least partly because of the composition and conduct of the labor committee in the House.

The committee's balanced representation in the 83d and 84th Congresses between liberal Democrats on the one hand and Republicans and conservative Democrats on the other created an impasse on amendments that needed the support of a committee majority. This stalemate in 1953, coupled with the lack until the following year of any Presidential proposals to consider, caused the committee to give most of its attention to the conduct of the NLRB rather than to statutory revision. The committee members, with a few exceptions, used this opportunity to engage in a thorough review of the agency's interpretations of the Act.

In the three months of hearings in 1953, the House Labor Committee heard witnesses urge a variety of proposals to cure the NLRB of an alleged lack of sympathy with the Taft-Hartley Act. These included plans for "packing" the NLRB to give the new Eisenhower Administration a chance to influence the agency's policies, abolishing the Board to allow private litigation in the federal courts, and ceding to the states the federal power to regulate labor-management relations "affecting commerce." At the close of the hearings, the committee deadlocked on a proposal to transfer NLRB judicial authority to federal district courts as a means of eliminating what was termed the "Wagner-Act influence" in the agency's application of the Act.[14] The subsequent appointment by President Eisenhower of the General Counsel and a majority of the Board had the effect of removing much of the Republican support for the court proposal.

The committee members, regardless of party, made no allowances for the judicial character of the NLRB's work. Instead, the members who took active part used the hearings (1) to make agency officials explain and defend their conduct in particular cases that had been brought to committee members' attention by constituents and other affected parties; and (2) to afford regulated groups opportunity to "retry" before the committee cases that had been lost before the Board, or to win Congressional support in cases awaiting Board or court action.

In allowing the committee to be used for these purposes, members expressed their own and what they considered to be their constituents' feelings about the way the Act was being administered. As the representative of his district and of what he considered the important group interests principally within it, the committee member was concerned with the effect of particular agency acts on these interests. The solution that he proposed for alleged agency misconduct—"packing" the Board, increasing state jurisdiction, or adjudication in federal courts—was directed at best serving these interests.

The House labor committee hearings in 1953 were dominated by the testimony of small employers. Many of them had encountered for the first time the union organizing activities that had moved from the established bargaining relationships in large industry to the task of organizing smaller enterprises. The resistance of small employers to unionization, particularly in Southern states, brought to the NLRB the kind of highly charged "unfair practice" business it had handled fifteen years earlier in conjunction with the major organizing drives of unions into large manufacturing enterprises. The committee, through the repeated election of Congressmen from "safe" districts and the working of the seniority rule, was led by conservative Republicans and Southern Democrats.[15] They had been opposed to the organ-

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1950); and Seymour Scher, "The National Labor Relations Board and Congress: A Study of Legislative Control of Regulatory Activity, (Unpublished Ph.D. Dissertation, University of Chicago, 1956).

[14] *See Labor-Management Relations*, Report of the [House] Committee on Education and Labor, 83d Congress, 2d sess. (Committee Print), hereafter cited as *House Labor Committee Report*, 1954 (Committee Print).

[15] The committee chairman in the 83d Congress was Samuel McConnell, a moderate Republican from a heavily industrialized Pennsylvania district. Of the next five ranking Republican members, four (Ralph Gwinn of New York, Wint Smith of Kansas, Harold Welde of Illinois, Clare Hoffman of Michigan) were considered by their colleagues as extreme conservatives, and one (Carroll Kearns of Pennsylvania) as friendly to organized labor. Of the five ranking Democrats, two (Graham Barden of North Carolina and

izing activity of unions in large industry in the late 1930's; they were even more so now when it extended into small industrial areas, especially in their home districts.

During the hearings the committee chairman frequently allowed, and ranking members encouraged, the detailed recitation of facts that had been in dispute in NLRB proceedings. The committee provided disgruntled litigants with an opportunity to object to trial examiners' and Board findings and to win support from committee members for the witnesses' version of conduct that had been termed unfair labor practices by the agency.

The long line of employer witnesses who told the committee of their experiences with unions and with the NLRB found committee members aligning sharply into opposing factions to support or reject the witnesses' allegations.[16] In weighing the merits of charges of alleged NLRB misconduct, members of both parties friendly to union interests broke with colleagues sympathetic with the interests of small employers.

On the last day of committee hearings NLRB officials were given an opportunity to rebut the testimony of former parties to Board action. Agency objections to the use of the committee for reviewing Board or trial examiners' findings became lost in a voluminous file that the agency submitted for the record. There is no indication that the committee members who most severely criticized the agency for the conduct of its personnel at various levels and for its decisions in particular cases looked closely enough at the detailed agency response (admitted to the record in large part without having been heard) to notice the agency's objections to the role that the committee had played. Agency officials protested that after three months of testimony by several dozen parties to NLRB action one day would not allow the agency to answer all the criticisms of its conduct. By requesting an opportunity to defend itself, the Board, in spite of its protests, conceded that the committee would continue to simulate the role of review court while actually behaving as participant in the struggle between unions and employers, regulatory agency and regulated clientele.

In the course of the hearings none of the committee members showed any concern that specific cases, some still awaiting Board decisions, were being reviewed before the committee. Instead, eight of the ranking members of both political parties later expressed to the writer their belief in the necessity of affording dissatisfied litigants an opportunity to be heard by the committee. One junior member with prior judicial experience did admit in an interview following the hearings that he considered this practice "probably improper" but that he did not protest it during the hearings because he "had to live with these people [the committee."

In one case still awaiting the trial examiner's findings an employer witness prefaced an uninterrupted presentation before the committee of his experience with the Board with the statement:

> It is with calculated risk that I present this testimony because the unfair labor practice charge filed by the teamsters union against our company is still undecided and the decision rests in the hands of those about whom I am about to testify.[17]

He then proceeded to recount his version of the case, indicating what he saw as a coalition against him of field examiner, trial attorney, and trial examiner for the alleged purpose of guaranteeing a finding in support of the union's charge. His statement was accompanied by one from a small businessmen's association of which he was a member, urging Congress to relinquish to the states its regulation of labor-management relations but to include labor within the scope of Federal antitrust legislation.

The attorney for one committee member's employer constituents was accorded an opportunity, in effect, to retry a case in which the Board found unlawful interference by the employer with his employees' organizing activities.[18] The attorney found no fault with either the regional staff's or the trial examiner's procedures. His objection was to the findings of fact by the trial examiner and the Board.[19] In

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Wingate Lucas of Texas) had generally allied with their conservative Republican colleagues on labor matters while the other three (Augustine Kelley of Pennsylvania, Adam Powell of New York, and Cleveland Bailey of West Virginia), from highly industrialized districts, considered themselves friends of labor.

[16] See Huitt, *op. cit.*, p. 363f on the influence of group ideology on fact perception.

[17] *Labor-Management Relations*, Hearings before the [House] Committee on Education and Labor, 83d Congress, 1st Session, p. 3035. Hereafter cited as *House Labor Committee Hearings*, 1953.

[18] *Ibid*, pp. 2423–42.

[19] CONG BARDEN. What have you to say with reference to the rules of evidence invoked? Were they what you would regard as the standard rules of evidence used in the State of Georgia?

WITNESS. Yes, sir, in the largest measure they lieu of compliance with the Board's cease and desist order or of taking the Board's order to a court of appeals for review, the attorney came before the committee. There he detailed the facts in his client's case, found the trial examiner ignoring the "preponderance of evidence" in finding against the client, and urged, in place of Board application of the Act, jury trial before district courts where he expected the "results would be right more often than they would go wrong."

Committee members Barden, Landrum, Gwinn, Kearns, Bosch and Wint Smith actively helped the witness develop his case, accepted his analysis of the issues involved without having seen the transcript of the Board hearings or the trial examiner's report, and promised to call the trial examiner before the committee to defend his findings. The following colloquy, after the witness had given his version of the disputed facts, is a fair example of the members' response to appeals to them from Board findings:

> WITNESS. It seems to me that the preponderance of evidence rule, if you could assume your case would be decided upon it, then you would sort of know where you are. But we thought here that the overwhelming preponderance was with our client. But it was not so decided.
>
> CONG. SMITH. Well, is not a reasonable conclusion to draw from what the recitation is in this particular case, that this trial examiner was deeply prejudiced?
>
> WITNESS. I personally think so; yes, sir.
>
> CONG. SMITH. Mr. Chairman, as I said a while ago, I would like to go to the zoo sometime and look at the things out there, and I would like to have this man [the trial examiner] brought up here before this committee and I would like to look at him, and I would like to ask him some questions. It is inconceivable to me . . .
>
> CONG. GWINN. Would you suggest that the committee subpoena this trial examiner?
>
> CONG. KEARNS. I think it would be a good idea, Mr. Chairman.
>
> CONG. BARDEN. Apparently the only man who can explain this [Board decision] is the man who muddled it up, so I would be in favor of his [the trial examiner] coming before the committee. That is all that I have.
>
> CONG. SMITH. You have heard of Kangaroo Courts, have you not, Mr. Robinson?
>
> WITNESS. Yes, sir.
>
> CONG. SMITH. If that is not a Kangaroo Court, I never heard of one.[20]

The Board, however, resisted the request for its trial examiners to appear before the committee to explain their decisions. In this particular instance a letter to the committee from the Board's chief trial examiner summarized the agency's reaction: "Whether the trial examiner was correct in his findings of fact and his resolutions of credibility is a matter for determination by the Board and the courts on the entire record."[21] Referring to five NLRB trial examiners whose findings had been criticized in the course of the House committee hearings, the chief examiner objected to their being asked to defend their judgments before a legislative committee. In a statement which, although included in the record, was not heard by the committee, he said:

> . . . From an atmosphere highly charged with conviction on both sides, the NLRB trial examiner, a fallible human being, must attempt as objectively and expertly as possible, to resolve the differences among fallible and partisan witneses. It is understandable, therefore, that out of the thousands of litigants who have appeared before our trial examiners in the past few years there would be a few to use the forum of this committee to express their disappointment. I am sure that the lawyer members of this committee are familiar with those litigants who, faced with an adverse decision, become overcritical of a trial judge and on appeal seek to try him instead of the merits or demerits of their cause.
>
> While appreciative of the opportunity afforded examiners to respond, nevertheless, we are troubled by a delicate and perhaps fundamental problem. Is it proper for a trial examiner bound by the statutory scheme of agency and court re-

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were. There were 1 or 2 rulings on evidence that we filed exceptions to, but on the whole we thought that the rulings on evidence there, on objections to admission of evidence, and so forth, were fairly well conducted by the rules of civil procedure.

CONG. BARDEN. Was it conducted fairly, as you would understand a trial or hearing to be conducted?

WITNESS. On the whole, I would say it was; yes, sir.

CONG. BARDEN. Then your principal objection is to the conclusions found by the examiner?

WITNESS. Yes, sir; and to what we think was a complete brushing aside of the preponderance of the evidence . . .

Ibid., p. 2436.

[20] *House Labor Committee Hearings*, 1953, pp. 2432f., 2439.

[21] *Ibid.*, p. 4042.

> iew provided by the Administrative Procedure ct and the Taft-Hartley Act to file a statement ith this committee explaining, and to enter into controversy concerning, the processes of decision making, particularly where the case in uestion is yet open for further administrative nd/or judicial action? We think not. The cases re firmly settled that it is not even the function f a court to probe the mental processes of an dministrative officer.
>
> It is respectfully suggested, therefore, that the uestioned action of each of the examiners can est be evaluated in the light of the entire record f the cases mentioned, and the Board would be leased to make such complete transcripts and he intermediate reports based thereon available o the committee for such use. . . . [22]

The committee leadership's unwillingness to redit this agency protest was apparent later rom its handling of a case that became a *cause élèbre* in the relations between the NLRB and Congressional labor committee. A small farm mplement company, the Homedale Tractor nd Equipment Company of Homedale, Idaho, ad been found by the Board, upholding a trial examiner's findings, to have engaged in unfair labor practices involving discriminatory ischarge and unlawful interference with employees' organizing activities. Refusing to omply with the Board's order, the company's o-owner, C. W. Radcliffe, related the circumstances of the case before both the House and Senate labor committees[23] while the Board's petition for enforcement of its order was pending in the Court of Appeals.

In contrast to the Senate labor committee which allowed Radcliffe to present a statement without comment from committee members on its merits, the House committee conducted a full-scale examination of the witness. Members expressed sympathy with his version of the case without having seen or heard any of the agency's transcripts or findings. Board officials later were called to defend their findings before the committee. The hearing given Radcliffe by the House committee resulted in a complete review and judgment on the merits of the disputed facts. Radcliffe asserted that the trial examiner's and the Board's findings of unfair practice against him were not supported by evidence and that "it is the practice of [trial] examiners deliberately discrediting all of the testimony on the part of the employer and giving full faith and credit to all of the testimony on behalf of the union".[24]

NLRB General Counsel George Bott reminded the committee that the Homedale case was then before the court of appeals, "which is where it should be if the respondent questions conclusions of law reached so far," and that, "in the meantime, it does not appear that anything would be gained by arguing the merits of this case before this committee."[25] The committee members nonetheless pressed Board spokesmen to defend the agency's order. Apparently unsatisfied with the reluctance of these officials to interpret for it the trial examiner's and the Board's reasoning in the case, the committee voted to send a subcommittee headed by Congressman Wint Smith to Idaho for a further investigation. Congressman Smith, as with similar complaints brought to the committee, had asked for a "full and complete investigation" by a subcommittee with power to subpoena "the National Labor Relations Board and the man [trial examiner] who wrote this opinion."[26] The subcommittee's hearings provided Radcliffe with his third opportunity to relate before a Congressional committee his view of the facts in his dispute with the Board.

The subcommittee called the Board's trial examiner to testify but found itself confronted by an examiner armed with instructions from the Board not to "answer questions relating to the mental processes by which you resolved credibility issues or evaluated or drew inferences or reached conclusions from the evidence in your judicial capacity."[27] In addition to these instructions to the trial examiner, Board Chairman Guy Farmer sent a letter to the subcommittee in which the issue was clearly drawn between a regulatory agency with quasi-judicial functions and a legislative committee attempting to exert control through a probing of the agency's findings in a particular case. Explaining the Board's position in restricting the testimony of its trial examiner, the letter said:

> Under the scheme of review provided in the Labor-Management Relations Act of 1947, the circuit court is the sole tribunal authorized to examine into the sufficiency of the findings of the Board and the trial examiner in order to deter-

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[22] Quoted, *ibid*, p. 4005.

[23] *Ibid.*, pp. 1939–59; *Senate Labor Committee Hearings*, 1953, pp. 1124–32.

[24] *House Labor Committee Hearings*, 1953, p. 1952f.

[25] *Ibid.*, p. 3853f.

[26] *Ibid.*, p. 1955.

[27] Quoted, *ibid.*, p. 63.

mine whether the Board's order was properly issued and is entitled to enforcement.

* * * *

Court review of the findings and conclusions of the trial examiner must be based only upon the record made in the proceeding before the Board and certified to the court. Thus, even the court may not inquire into and probe the mental processes by which the trial examiner reached his conclusions. This is so because the Administrative Procedure Act and the Labor-Management Relations Act of 1947 establish the trial examiner as a judicial officer of this agency, presumed to be of high competence and integrity and required to act with independence and impartiality. . . .

To subject such an officer to inquiry and interrogation regarding the process by which he reached his conclusions in a particular case, would seriously endanger the independence and impartiality which the law and the public interest demand for the proper discharge of his duties. . . .

Respect for the processes of the court and due regard for the public interest we are dedicated to serve therefore give us great concern lest your subcommittee have in mind an interrogation of Mr. Myers [the Board trial examiner] on the issues now before the court or on the process by which he reached his conclusions. If that is the intention of the subcommittee, the Board asks that you give serious consideration to a withdrawal of the request for Mr. Myers's appearance.[28]

In spite of the Board's position, the subcommittee attempted to persuade the trial examiner to explain his decision in the *Homedale* case. When these efforts failed, the subcommittee gave up its special inquiry and reported to the parent committee its belief that the NLRB's refusal to allow the trial examiner to answer certain questions "constitutes an improper interference with a proper function of Congress." The subcommittee felt that "It should be made emphatically clear that no officer or employee of the National Labor Relations Board has, or should have, any right to refuse to testify before your committee on grounds such as those advanced by Chairman Farmer. . . . " It further suggested the possibility of contempt of Congress proceedings against NLRB officials.[29]

No more was then heard from the House labor committee about the *Homedale* case. Th subsequent decision of the federal Court o Appeals upholding the Board's cease and desis order and the denial of *certiorari* by th Supreme Court may have served to still an further committee action.[30]

III. COMMITTEE MEMBERS' VIEWS OF THEIR ROLE AS AGENCY OVERSEERS

Committee members' willingness to have th public hearings used by regulated parties to restate their differences with the agency and t win committee support for their positions, th NLRB's resistance to committee attempts a probing the mental processes of the agency' judicial officers, and the committee's reactio to the resistance, are indications of disagreement about a proper role for a legislative committee in reviewing the conduct of an "independent" regulatory agency. The writer interviewed ten members of the House labor committee in the 83d Congress to ask them thei conception of their role *vis-à-vis* the NLRB Four were ranking Republican members; si were Democrats, two of them Southerners wh generally voted with the Republicans on labo questions.[31] The interviews were conducted i 1954 and 1955, a propitious time because of th fresh recollections of the 1953 hearings and because the top-level officialdom of the agenc had by then changed significantly with appointments by a Republican administration.

Committee Democrats and Republican alike viewed their role in reviewing NLR activity largely in terms of how the agency treated "my people." This phrase frequently became a catch-all that identified not only constituents but the larger group commitments of the committee member as well. Thus the Southern Democrat's concern for his small employer constituents typically was compatible also with his own antagonism toward the organizing activity of unions. The Northern Democrat reacted vigorously in behalf of "his people" when his own sympathies placed him in the camp of organized labor confronting what he saw as a hostile coalition of employers and an unfriendly regulatory agency.

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[28] *Ibid.*, p. 64f.

[29] In a committee print, *Administrative Practices under the Labor-Management Relations Act*, Interim Report of a Special Subcommittee to the [House] Committee on Education and Labor, 83d Cong., 2d sess.

[30] The Board did, however, get one final nudge on the case from Idaho Congressman Hamer Budge in the course of the agency's appearance before an Appropriations Subcommittee in 1954, a week after the Court of Appeals decision. Following the Board's defense of its appropriations request Budge called on the Board Chairman to explain his action in refusing to allow the trial examiner to defend the reasons for his findings before the Labor subcommittee. Unsatisfied with Chairman Farmer's explanation, Budge reminded the Board that the appropriations power could be used by Congress for the purpose of insuring "better cooperation" between the NLRB and a Congressional committee. The Idaho Congressman closed his questioning of Farmer on the handling of the case with the "hope that the NLRB will not attempt in any way to keep Congressional committees from performing their constituted functions."

[31] See n. 15, above.

In cases where a committee member's own constituents were adversely affected by agency action, the member's reaction was more or less vigorous depending on the extent, if any, of his personal association with the group values of employers or unions. The member's intercession with the agency for its treatment of an employer constituent took on the character of a routine inquiry when the member's own ideological predispositions were with the rights of labor. On the other hand this same member's reaction to adverse agency treatment of a union in his district bore all the earmarks of a free-swinging, no-holds-barred encounter between committee member and offending agency. Where a member's own constituents were not affected by agency decisions brought to the committee for review, the member's response to agency conduct was governed by the extent of his identification with the values of the affected groups, labor or employer. The intensity of a committee member's reaction reached its peak, then, when the case before the committee found an injured constituent's interests coinciding with the Congressman's own group values.

For the committee member there was no abstract meaning in the term "proper" when used to describe the relationship between the independent commission and the committee. Anything was proper that served to bring the agency, in its handling of cases in the regional offices or in its own orders, into accord with the members' view of how the agency should act. One Democratic member of long tenure expressed this as follows: "When the Board [the General Counsel in charge of investigation and prosecution apparently was meant here as well as the adjudicating Board] acts friendly to labor, I have no kick coming. But when they get rough with our people, I let them know."

To the committee members the NLRB was either "with them or against them." The importance of constituents in the member's attitude was such that even where the NLRB could be shown to have "favored" labor in a series of similar cases but not in one involving an important union in his district, the agency became suspect. General tendencies in agency performance were no substitute for favorable treatment in a particular case.

Where agency officials gave evidence of having "wronged" a constituent, virtually any kind of intercession by the member or the committee was considered appropriate. One Republican member, known for his coolness toward organized labor, expressed a view accepted by Democratic members known equally for their friendliness toward unions: "We never think twice about calling the Board and asking for a little special handling of some cases; not just to speed things up but to look a little differently at the case." Paradoxically, this member saw this practice as indicative of the need to take the administration of the labor act out of the NLRB's hands and place it in the Federal courts where, he explained, "such political interference isn't possible."

Only one member I interviewed found the questioning of NLRB people on particular decisions improper, and conceived of the agency as a quasi-judicial expert body responsible for its individual decisions neither to the Executive nor to Congress. The description by nine committee members of the NLRB as a "political" agency, meaning receptive to control by the dominant party and the regulated groups, served as their public justification for whatever interference with the agency the member found necessary or useful in winning favorable treatment in cases of concern to him.

Among those interviewed, only one indicated that his understanding of how the NLRB was functioning was based on information other than what he obtained from cases brought to his attention, generally through committee hearings, by constituents or by other regulated parties. All acknowledged that they had no contacts with the agency except when they called its officials personally or in committee hearings to explain the Board's handling of specific cases. Discussion of the general direction in agency interpretation of statutory provisions was, thereby, largely lost in the questioning of agency officials on their handling of individual cases.

The members' preoccupation with the particular or the local has led several of them to propose abolition of the NLRB and its replacement by litigation in the courts. The expectation, as expressed by one Southern member, was that "our people will get a better deal in the courts." Behind this belief, for many on the committee, appeared the more fundamental feeling that the agency, regardless of the Taft-Hartley Act, had served in effect as an organizing agent for unions and had been hostile to what these members considered the dominant interests in their districts. For these committee members, two animosities were blended: one toward a Federal administrative agency acting as enforcer of ground rules in labor-employer relations, and the other toward the organizing activities of unions in their districts. As one member in a pivotal position between the committee's liberal Democrats and the Administration Republicans put it, "I want my people to accept or reject unions, not have some Board force them down their throats. I don't like any federal agency sending its people into my country to handle things that are our own business and ought to be kept that way. Unions and employers ought to fight their own battles, without bureaucrats from Washington coming in and taking sides; then, if they [unions and employers] need to, they can argue it out in court."

In contrast, three liberal Democrats on the committee who also expressed concern over the effects of NLRB actions on their areas, were nevertheless not thereby persuaded to support abolition of what they termed a pro-employer Eisenhower Board. These members were willing, instead, to depend on their own ability to keep the agency apprised of their interests until the time when a Democratic administration could again appoint a "good" Board.

IV. CONCLUSIONS

Evidence in this case study supports these conclusions:

(1) Formal norms intended to restrict the Congressman in checking the adjudicatory activity of an independent commission are not, in practice, observed by him. The committee member recognizes no limitations on his behavior by virtue of the agency's judicial functions. He may or may not see a distinction between using his committee status as a weapon against an executive bureau with largely service functions and against a quasi-judicial regulatory agency. If he recognizes the distinction in words, he acts as though none exists. Agency orders equally with agency rules are fair subjects for his attention. Whether the adjudicatory determination by the agency is in process or has been completed makes no noticeable difference to him.

(2) This behavior is in keeping with his conception of his responsibility as representative of constituent and other organized interests he shares. The attitudes and behavior of House labor committee members considered here are consistent with a theory that sees groups affected by public decisions as seeking, and public officials who share their interests as providing, alternative routes to influence these decisions.

Whether these generalizations apply to the members of other committees overseeing other independent regulatory agencies remains, of course, a subject for further investigation. All case studies have their unique characteristics. It seems reasonable to expect, nonetheless, that when agencies are assigned the job of regulating powerful organized interests, committee members with fixed attitudes toward these interests are unlikely to observe rigid rules of restraint when checking on how the agencies are doing their jobs.

FEUDAL ASPECTS OF NATIONAL SOCIALISM

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Attempts to establish a "morphology of civilizations" seem to continue in spite of dire warnings from scholars. Indeed, while rejecting Toynbee and Sorokin with one hand, many a scholar has beckoned with the other to adventurous young men to leave the barren tracts of specialization and re-enter the broad panoramic fields of *Weltgeschichte*. Current interest in "comparative feudal institutions" illustrates the case in point.

I

The notion that "feudalism" is a "form of society," especially a "stage in development," can be traced back to Marxist historiography, and from there back to eighteenth century French thinkers. But instead of becoming thoroughly discredited, the notion has recently led to new thinking on the subject which may turn out to be fruitful. In *Feudalism in History* for example, Rushton Coulborn, has combined eight separate papers on feudalism in various parts of the world by different historians, with his own critical and synthetic studies.[1] Though he fails to find even one "fully developed" feudal society according to his own definition—a not unexpected result—his study contains an amazing amount of suggestive analysis.

His suggestions are particularly valuable in the construction of "working models" or "ideal types" as research tools. Even when we remain safely within our own "fields," if we are to go beyond highly specialized fact-gathering and at the same time avoid "presentist subjectivism," we will need such tools.

Feudalism, above all, is a power-relationship. Its essential ingredients are vassalship and the fief. Vassalship is based on personal dependence and loyalty, while the fief represents a *conditional* proprietary right, often to landed property. The fief is the basis of personal power; it is presumably held subject to limits defined in terms of service to superiors. Feudalism is always marked by "a dispersal of political authority amongst a hierarchy of persons who exercise in their own interest powers normally attributed to the state, which are often, in fact, derived from its break-up." Vassals tend to be "a specialized military class occupying the higher levels in the social scale." "The performance of political functions depends on personal agreements between a limited number of individuals . . . Since political power is personal rather than institutional, there is relatively little separation of functions."[2]

Coulborn has suggested that feudalism is "a mode of revival of a society whose polity has gone into extreme disintegration." "Political reformers seek to restore the disintegrating state by calling to its aid the personal vassalage relations which have come to permeate its upper ranks." "The culture of a jaded civilized society is reinforced in its elemental nucleus, the relationship of man to man, by an ethic drawn from a primitive source."[3]

It is quite remarkable how much of this applies to the internal politics of National Socialism. Moreover, Nazi thinkers quite consciously tried to model the New Order along feudal lines.

II

Superficially, National Socialism and Italian Fascism were alike. Both managed to combine a revolutionary ethos with the promise of imperial restoration. Behind the talk of a "New Order" lurked the ghost of an empire long dead. But Mussolini's imagery was based upon a centralized, legalistic Roman Empire. Hitler's propaganda spoke of a second thousand-year Reich. Not the short-lived Bismarckian creation, but the fabled medieval empire of Ottonians and Hohenstaufens gleamed in the back of Hitler's mind. Indeed, to Nazi theorists, the Roman tradition as well as all modern state bureaucracy was anathema. Franz Neumann has pointed out why: National Socialism recognized that even harsh laws protect the subject and the underling administrator.[4] Ultimately, totalitarianism must be lawless. Mussolini's must inevitably be incomplete, a pale reverberation of eighteenth century enlightened despotism.

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[1] Rushton Coulborn, editor, *Feudalism in History* (Princeton University Press, 1956). See also *From Max Weber, Essays in Sociology*, edited by H. Gerth and C. W. Mills (New York, 1946), p. 300. *Cf.* C. Sjoberg, "Folk and 'Feudal' Societies," *American Journal of Sociology*, Vol. 57 (1952), pp. 231–239.

[2] F. L. Ganshof, *Feudalism* (London, 1952), xv. Joseph R. Strayer and R. Coulborn, "The Idea of Feudalism," in Coulborn, *op. cit.*, p. 5.

[3] Coulborn, *op. cit.*, pp. 364–395, esp. pp. 364, 392.

[4] Franz Neumann, *Behemoth: The Structure and Practice of National Socialism 1933–1944* (Oxford Univ. Press, 1944), pp. 77–80.

Mussolini, to be sure, sought to escape from the limitations of the rationalistic state. The appeal which this dictator at first had for Lincoln Steffens had little to do with the Roman Empire. Here was a fellow like Steffens himself, who had parted company with all doctrinaire thinking, with intellectualized reforms. Mussolini recognized that obedience and loyalty could be had for the asking if the right man asked. The very same processes of "corruption" which Steffens found to be necessary in democracy were the devices Mussolini substituted for legality and parliamentary government. Unlike Lenin, he did not get rid of the competing economic and religious sources of power in Italy. He corrupted them, and sought to make the state so powerful that it could always swing the balance in any dispute. Toward the end of his stay in Italy Steffens became doubtful. He looked to Germany and to Stinnes' idea of *doing away with the state* as a cleaner, more efficient solution to the problem of conflicting interests, loyalties and powers.[5]

Offhand, one would scarcely expect Nazi thinking to go along with so un-German a suggestion. But when Stinnes' reasons have been probed, they turn out to be the same as the Nazi objection to rationalistic legal systems. Underneath talk of "administrative duplication" and in the guise of a search for efficiency, both the industrial monopolist and the terror-and-propaganda monopolists desired to do away with all protective frameworks in which their victims and their rivals could hide. The Nazis, however, did not see eye to eye with Stinnes & Co. when it came to a substitute for the state.

Stinnes' substitute seems to have been a kind of politburo of industrialists, one of the many versions of right-wing corporativism so popular in Germany just before and after the First World War. Technocratic "experts" who had proved themselves in the world of high finance and production-management were to be combined with class-and-occupational representation to counterbalance the effects of universal and equal suffrage and the idea of Workers' Councils. While, as we shall see, echoes of this substitute were to appear in National Socialist propaganda, Nazi theory increasingly turned to feudal and medieval models for political relationships.

Nazi predilection for Teutonic imagery is well known. There is an essential connection between this love of the archaic and the primitive and Nazi glorification of the medieval Reich-idea. They found in *Gefolgschaft* and *Treue* the basis for a Germanic Reich as opposed to a Roman legalistic structure or a Byzantine theocratic *Machtstaat*. Oversimplifying the scholarly theories of the Germanic origin of feudalism, they asserted that it was the "sound judgment of the Nordic ethos" which rejected the subjugation of creative talents either to dead laws or to autocratic personal authority. An honorable self-subordination by mutual contract was the genius of the Germanic Reich-idea. Loyalty (*Treue*) and honor (*Ehre*) were made the ultimate values in life for all upholders of the contract, whether lords or vassals.[6]

The *comitatus* (*Gefolgschaft*) for the Nazis was the natural political unit, the model for all political relationships. Indeed, the *Führerprinzip* was a kind of twentieth century *Gefolgsordnung*. National Socialists denied allegations that the "leadership principle" was equivalent to unrestrained and arbitrary tyranny on the Byzantine model. The power of a leader was said to be proportional to the confidence and loyalty of his voluntary followers. Far from extolling naked force, the *Führerprinzip* was "the rediscovery of the basis of political power: loyalty." And behind that loyalty lay the "full and honest acceptance of responsibility" by the strong. Thus the National Socialist ideology made much of "Germanic" feudalism and condemned the modern state both for its autocratic and its bureaucratic elements.[7]

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[5] *The Autobiography of Lincoln Steffens* (New York, 1931), II, 812–829.

[6] "Der Staat ist nun nicht die Verwirklichung der deutschen Volksordnung schlechthin, sondern er ist aus der Gefolgsordnung heraus gewachsen." ("The state is not the direct embodiment of the national structure, but rather grew out of the feudal order.") Carl Johanny and Oscar Redelberger, *Rechtspflege und Verwaltung: I. Allgemeiner Teil, Heft 2: Volk. Partei. Reich.* (2. Auflage, Berlin, 1943), pp. 3–4.

[7] Fritz Nova, *The National Socialist Fuehrerprinzip and its Background in German Thought* (Philadelphia, 1943), pp. 1–14, 71–72, 90–94. According to National Socialist critiques of modern western society, a man's chance to act responsibly, indeed a man's *right* to be responsible, had been taken from him in the leveling and anonymous processes of mass democracy. Furthermore, the attempt to create uniform, rationalistic rules of procedure in political affairs had served to conceal the role of decision-making, and thus rendered decision-makers irresponsible.

The problem of German history for many a Nazi thinker was the location of the point where German history "went wrong." There had been a golden age of promise marked not only by Ottonian and Hohenstaufen imperial power, but by Hanseatic and proto-Prussian expansionism. For approximately five hundred years (750–1250 A.D.) Germanic society bloomed, but at the close of the age the fruit was blighted and mis-shapen. As a consequence National Socialists could not unreservedly idealize the medieval Reich. The aspects they emphasized point up inherent tendencies in Nazism which might be termed feudal. Even some of the disagreements of interpretation reflect different aspects of the same Nazi ideology.

The Frankish monarchy was a necessary stage, said the Nazis, in the transsubstantiation of the classical-Roman heritage into a "Germanic organism." However, in the hands of Charlemagne, the state threatened to overpower the creative impulses of "natural" political units such as the stem-duchies. Hitler disagreed with Rosenberg and Himmler in blaming Charlemagne: *Sachsenschlächter* was an unfair epithet. Society was always threatened from two great and equal dangers; one of them was barren autocracy, and the other was the endless internal bickering of numerous small "equals" without a leader. Charlemagne had to push forward the unification of the German *Stämme* by force because they would not or could not combine voluntarily. On the other hand, Himmler and Rosenberg saw in the Carolingian *restauratio imperii* the first fatal move toward an alien *Weltanschauung*.[8]

Himmler in his admiration for Henry the Fowler, and Rosenberg with his romantic conception of Henry the Lion illustrate differing Nazi ideals which, nonetheless, glorify the feudal nexus. According to Himmler, Henry the Saxon embodied the simple Germanic political virtues. He was personally a brave soldier, a hard fighter and a tough-minded realist. On the other hand, he practised a policy of live-and-let-live with the other stem dukes whom he had led against the centralizing Conrad I. Instead of empty bickering with his countrymen, he focused on the alien enemy, the Magyars. Above all, he looked east, not south. Rosenberg argued that Henry the Lion had to play the part of a contumacious vassal against the "alien universalism" of Barbarossa. "Germandom" needed to advance beyond stem-duchy to "Prussiandom" and Henry would have been the man to do it. The nobility which joined with Barbarossa against him was "good material" which could have been converted into a "loyal Junkerdom." Instead Barbarossa heightened the divisive tendencies in the Reich.[9]

Yet Hitler himself never tired of extolling the "Reich-idea." The notion of a German hegemony in central Europe, over Burgundy, Italy, the Low Countries, Denmark and western Slavdom filled him with a sense of grandeur.[10] On the other hand he repudiated Germanization and uniformity for these imperial areas. Indeed, his conception of "the good old days" included the same ideals which Himmler and Rosenberg stressed. There had been no bureaucracy. A divisive nationalism had not yet come into being. Central Europe had been sufficiently unified by the respect for Germanic traits and the use of the German tongue so as to permit a large-scale political decentralization by means of viceroys and *Reichsstatthalter*. Everything really important could be dealt with by meetings of leading men and smaller details referred to the local nobility with the security that they would handle matters in the shortest possible order. The great emperors had always retained just enough domains to hold the balance of punitive striking power in the Reich.

The National Socialist doctrines of "Blood and Soil" are similarly reminiscent of feudal property relationships. R. W. Darré, the Nazi agrarian, called private property rights "Roman." The Germanic idea of property, said he, was the right of usufruct and inheritance in return for service rendered to the community. Darré waxed eloquent on the subject of a past and a future "Germanic aristocracy of the soil." Without denying the fighting prowess of the medieval German nobility, Darré derived it and aristocratic conceptions of honor and loyalty from its free-peasant foundations rather than the battlefield. The rough honesty and simplicity of the Teutonic spirit was preserved on the land. A "true communalism" allegedly developed in this class of noble farmers which was based on mutuality; it was purchased neither by the servility of the west-Frankish serf nor the destruction of individuality by the Slavic village community. In fact, "it was the Germanic genius to combine noble breeding with land-management responsible to the community." This limited freedom in the use of land was the price paid by the Germans; when modern Germans refused to pay it—because of the "reforms" of the French Revolution—German property relationships became chaotic, said Darré.[11]

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[8] *Hitler's Secret Conversations 1941–1944* (New York, 1953), pp. 236, 308–310, 343.

[9] *Rede des Reichsführers SS im Dom zu Quedlinburg am 2. Juli 1936* (Berlin, 1936); *cf.* Robert Koehl, "Heinrich the Great," *History Today*, March, 1957, pp. 147–153. *The Memoirs of Alfred Rosenberg*, edited by S. Lang and E. von Schenck (New York, 1949), pp. 272–273.

[10] *Cf. Hitler's Secret Conversations*, pp. 325–329; *Mein Kampf* (New York, 1940), pp. 596–606, 935–943.

Thus, the first task of National Socialism according to Darré was to free the German peasant from "the chaos of a market economy." The famous *Erbhofgesetz* recreated the principle of entail for peasant farms. While it was never possible to apply this law across the board, qualified farmers were "freed" from indebtedness, past and future, at the same time receiving their "hereditary estate" as a fief from the Reich. Similarly, just as such farmers became dependent on government loans for farm improvements, so all farmers were required to take part in a cooperative marketing network to "free them from the chaos of the market." This *Reichsnährstand* was much more than a compulsory marketing organization, however. As its name implied, it was intended by Darré to be a corporative estate of food producers. Darré meant it to be an autonomous, self-governing unit of a future pluralistic German society. Through its power, *vis-à-vis* the individual peasant, and *vis-à-vis* German society, he hoped it would pave the way for a "New aristocracy of Blood and Soil."[12]

It is somewhat surprising to encounter the "left-wing" Strassers in the assembly of feudal-minded Nazis. Actually, however, they and Darré were closely akin. Darré dreamed of a re-created *Ständestaat,* a medieval estate-system, in which the agrarian estate would be paramount. The Strassers conceived of a new social order too, which they called "state feudalism." It was the "industrial estate," however, which they sought to place at the top of the heap. They wanted to "nationalize" German industry, then parcel it out as fiefs to the managers and tycoons who had built it. Each industry was to be run like a medieval guild, with a regular provision for advancement to managerial status for the gifted, and strict internal controls on competition and production. They wished to do away with Prussia and with the Reichstag, substituting an economic-regional federalism and a chamber of corporations.[13]

The last item in our catalogue of Nazi medievalism, while not precisely feudal, is composed of many related elements. National Socialist historians, as well as Rosenberg and Himmler, gave a high place to the Teutonic Order. For them all, the essence of the Order was its elitism. It, too, was an elaboration of the war-band, the self-constituted league of fighting aristocrats. However, only the dedicated were able to sustain the pitiless self-subordination to the higher purposes of the order. It was in the Teutonic Order that the Hegelian synthesis of Germanic pride and Christian humility was fused to create Prussiandom. The *Ordensritter* was a knight *sans peur et sans reproche,* not for himself, not for Holy Church, but for an Idea. That this Idea was not fully revealed to him, though it had something to do with the future and with Europe as a whole, was an advantage, not a drawback. Quite consciously Rosenberg called upon the NSDAP to make itself the German Order of the twentieth century in the service of the "unknown god." Similarly Himmler devised his *Schutzstaffel* or Elite Guard (SS) in the conscious effort to form a new pioneer-nobility for a future German east. He tried to instill in them a natural piety and a worshipful attitude toward the creative forces of nature, as a substitute for Holy Church. On their belt buckles he inscribed *Meine Ehre heisst Treue* (My honor is loyalty).[14]

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[11] R. Walther Darré, *Neuadel aus Blut und Boden* (Munich, 1935), pp. 43–47, 62, 67–76.

[12] Hermann Reischle and Wilhelm Saure, *Der Reichsnährstand: Aufbau, Aufgaben und Bedeutung* (Berlin, 1934), pp. 15–30, 38–44, 133–152.

[13] Otto Strasser, *Hitler and I* (Boston, 1940), pp. 81–82, 111–114; Douglas Reed, *Nemesis? The Story of Otto Strasser and the Black Front* (Boston, 1940), pp. 244–247, 256–263. Similar views are even attributed to Hitler, especially in his early days, by E. Vermeil, "German Nationalist Ideology in the Nineteenth and Twentieth Centuries," *The Third Reich* (New York, 1955), pp. 277, 324, 326. Alan Bullock makes the same attribution, but his source seems to be Strasser himself: *Hitler: A Study in Tyranny* (New York, 1952), p. 121, 141.

[14] Karl O. Paetel, "Die SS, Ein Beitrag zur Soziologie des Nationalsozialismus," *Vierteljahrshefte für Zeitgeschichte,* January 1954, pp. 1–33; Hans Buchheim, "Die SS in der Verfassung des Dritten Reiches," *ibid.,* April 1955, pp. 128–155. *Cf.* Gerald Reitlinger, *SS: Alibi of a Nation* (London, 1956). In keeping with the development of an elite the Nazis gave up one of the oldest ideals of Prussian education: uniform public education. They tried to substitute for it the special

III

In spite of its pretentiousness, National Socialist talk of man-to-man loyalty and of the leader-and-his-following really expressed their deepest convictions. This is revealed in both the formal systems they created to run Germany and in the informal structure of their internal politics. It is sometimes said that National Socialism lacked a real ideology. Insofar as a rational and systematic philosophy is meant, this is true. Yet no elaborate semantics are necessary to find consistency in the Nazi *Weltanschauung.*

Above all, they believed in a modern version of elective kingship. The Führer replaced a figure-head president and a prime minister responsible to a parliamentary assembly. He was elected for life by acclamation, but was in reality chosen and maintained in power by his paladins. They chose him for his personal qualities. In the form in which political battles are fought in the twentieth century, his prowess was supposed to outshine that of the fighters grouped around him.[15]

The Nazis tried to do away with the Germans' instinctive loyalty to abstract law and order, to "the state" and to tradition. They instituted an oath of personal loyalty to the Führer Adolf Hitler and sanctioned an almost ludicrous series of subinfeudations via oaths extorted by "little Führers." In legislation, in jurisprudence, police practice and administrative policy they tried to substitute men for laws, personal judgment and responsibility for the rule-book and anonymity. They did away with the power of the old constitutional organs like the cabinet and the Reichstag and erected a system of *Reichsleiter* and *Gauleiter* whose positions depended, of course, on the Führer's good will and loyalty *to them,* but also on their ability to get things done and to command the loyalty and respect of their underlings and of the German people entrusted to their care.[16]

It was the aim of the Nazis to develop both the institutions and the political atmosphere conducive to furthering the exercise of power. Rejecting the modern bureaucratic state with its elaborate channels, they wished to simplify the exercise of power, to pin down the responsibility for decisions, and to encourage independence and aggressive problem-solving. Not strangely, the military analogy seemed to offer a substitute for the bureaucratic state. At least the soldier could always be brought to account by his superior. But here, too, lay a danger that "artificial hierarchies" and "paper structures" would get in the way of on-the-spot action.[17] The solution? *Führerprinzip!* But the doctrine that a leader must be allowed full freedom to solve a problem meant in effect a neo-feudal system.

According to this *Weltanschauung,* the nation's leader had total power, received from the *Volk,* and revocable by it, though not through legalistic processes so much as through withdrawal of confidence expressed in his failure to carry them with him in his exploits.[18] This total power he parceled out among proven followers. The long battle for control over the streets and the parliament, followed by the battle for the total support of the German people after 1933, afforded a maximum testing ground for these sub-leaders. It never ended. A *Reichsleiter* or a *Gauleiter* was continuously being weighed in the balance and not a few were found wanting between 1933 and 1945, not to mention the years 1923–1933.[19] As a

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school for the future elite in which not only the aristocratic virtues were encouraged but in which the sense of difference from the *hoi polloi* was reinforced.

[15] "When our opponents say 'It is easy for you, you are a dictator'—we answer them, 'No, gentlemen, you are wrong; there is no single dictator, but ten thousand, each in his own place'." Adolf Hitler in a speech, April 8, 1933, cited in Nova, *op. cit.,* p. 4.

[16] For an oath demanded by Seyss-Inquart, see *Hitlers Tischgespräche* (Bonn, 1951), p. 243. The oath of personal loyalty to Hitler of February 1934 was exacted precisely because Hitler did not have patriarchal authority; such an oath was also a visible repudiation of *Rechtstaat* loyalty to the office: E. Vermeil, *The Third Reich,* p. 304.

[17] Hitler speaks of "die Fehler des ewigen Reglementierens" as specifically a German exaggeration of modern bureaucracy. Both in the relations of Berlin with the provinces and of Germans with foreign races the maximum of freedom was to be observed. Not totalitarianism, but its opposite, feudal decentralization, was the goal: *Hitlers Tischgespräche,* pp. 110–111, 116–118. *Cf.* Max Weber's contrast of feudal and patriarchal dominion, *Wirtschaft und Gesellschaft,* II, 751.

[18] *Cf.* the slogan "Gebt mir vier Jahre! (Give me four years!) used in the years 1933–1936 to win public confidence. See also Nova, *op. cit.,* pp. 31–33; Vermeil, *op. cit.,* pp. 301–302.

[19] For example, "Osaf" Pfeffer-Salomon: K. Heiden, *Der Fuehrer* (Boston, 1944), pp. 350, 742; Gauleiter Josef Wagner of Silesia: testimony of SS General Bach-Zelewski, U. S. Military Tribunal case 8, transcript, p. 383; Gauleiter Streicher of Franconia (reluctantly!): *Secret Conversations,* pp. 126–127.

consequence the Nazi political scene was filled with ever-changing groups and clusters of protagonists. Their relationship to each other was only semi-hierarchical. The student of Nazi administration has difficulty even with the formal structures because of their fluid character.

One of the most amazing similarities to the feudal system in Nazi administration is the nominal subordinate who acquired power to give his superior orders through appointment by a still higher superior as his "personal agent." Of course the universal example of this is the Party Member in the line organization, such as the Foreign Office. However, it is more striking when we realize that full-fledged *Altkämpfer* (Party veterans) like Darré, Ley, Rosenberg and Hans Frank found themselves in a position similar to Foreign Office career diplomats, forced to take orders from subordinates like Herbert Backe, Fritz Sauckel, Erich Koch, and F. W. Krüger.[20] The effect of this Nazi habit was an ever-modified network of personal loyalties. At any given moment a German with an ax to grind (and the modern student) had to ask, not "what is the chain of command", but who has the actual "connections"—the nominal boss, or someone else?

Equally characteristic was the practice among National Socialist bigwigs of appointing each other as "deputies." Thus a man like Himmler was a Supreme Reich Authority as *Reichsführer SS*, though technically subordinate to the Ministry of the Interior, and also the deputy of Hermann Goering for the management of confiscated Polish agricultural properties. Himmler, in turn, as Reich Commissar for the Strengthening of Germandom, named as his deputies the Minister of Agriculture (Darré), the Minister of Labor (Ley), the Reich Health Leader (Conti), the chief of the Foreign Section of the NSDAP (Bohle), and the *Reichsstatthalter* of the annexed Polish territories.[21] A delicate hierarchy can be discovered: Men like Goering and Goebbels spurned nomination as anyone's deputy save Hitler's. They were *Reichsunmittelbar* (direct vassals). Himmler and Ribbentrop were powers in their own right, but they could not do without the added authority of responsibilities assigned by their colleagues. Lesser lights collected deputyships the way Goering collected medals: mere symbols of status. Darré, Frank and many of the *Gauleiter* fall in this third group. Finally we come to those Nazi officials glad to have one great connection (often with Hitler) or lacking even that: men such as Otto Dietrich, the Press Chief; Arthur Seyss-Inquart, handyman and trouble-shooter; and Baldur von Schirach, the Youth Leader.[22]

A third aspect of National Socialist political life which may be likened to the feudal nexus was the "private war" with its rule of neutrality, peace treaties, and its schemes of mediation and arbitration by higher authority and by peers. Goering, Goebbels, Hess, Himmler, Ribbentrop and Rosenberg were the principals in such encounters, though often the combatants were lesser figures chosen by one or another. Needless to say, such wars were the result of the criss-crossing ambitions of rival empire-builders. They were productive of juntas and coalitions depicted in the diaries and memoirs of the Nazi era. Some feuds were very old, such as that between Albert Forster and Heinrich Himmler; others blew up and passed like that between Goebbels and Goering in 1942.[23] Some developed slowly, gradually involving many leading Nazis on both sides, and finally requiring a Solomon's judgment by Hitler. This type most usually involved economic power, because control over economic resources was the most essential basis for independence.[24]

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[20] *E.g.*, the case of Martin Luther in the Foreign Office: Erich Kordt, *Wahn und Wirklichkeit* (Stuttgart, 1948), p. 373, note 1. On Darré: affidavits of Aufsess and von Hannecken, U. S. Military Tribunal case 11, Darré defense book I; on Ley: Neumann, *op. cit.*, pp. 619–621; on Rosenberg; *Rosenberg Memoirs*, pp. 282–289; on Hans Frank: NO 2202, case 8, prosecution document book V-A.

[21] E. K. Bramstedt, *Dictatorship and Political Police* (London, 1945), p. 98; NO 2676, case 8, prosecution document book XIV-A; NO 3078, case 8, pros. doc. bk. II-B.

[22] Darré and Frank both attempted to play off Himmler and Goering against each other in this fashion: NG 1759, case 11, pros. doc. bk. 104; 2233 PS, *Trials of War Criminals*, IV, 889–891. Dietrich was attached dependently to Goebbels, Seyss-Inquart to Goering, and von Schirach to Hess.

[23] Guenther Reimann, *The Myth of the Total State* (New York, 1941), pp. 198–213. On Forster and Himmler, see the testimony of Richard Hildebrandt, case 8, transcript, pp. 3887–3889. On the Goebbels-Goering feud, see *The Goebbels Diaries, 1942–1943*, edited by Louis P. Lochner (New York, 1948), pp. 260, 262, 264, 267–269, 276–277.

[24] F. Neumann suggests that the ever-increasing "Party Sector" of the German economy "follows the familiar pattern of American gangsters" (*i.e.*, "robber barons") who become honorable (and even more powerful) by entering into "legiti-

At an early stage of such a quarrel, the principals exchanged notes, containing veiled ultimatums but also suggesting solutions such as the creation of "joint administration," the acceptance of liaison-men in each others' offices, and the ubiquitous "deputyships." An effort was made to conceal the quarrel from the Führer. Next we find letters, telephone calls and "chance meetings" with potential supporters. These in turn, if they wished to remain neutral, sent friendly letters to both contestants, or occasionally referred the matter to Lammers at the chancellery, not for Hitler's eyes, but for high-level arbitration short of the top. If they chose sides, they often sent the offending appeal to the opposite side, with a supporting cover letter. Meetings were arranged among the supporters, and a united front constructed. This might include an appeal to the Führer, supported by all and sundry, or united sanctions against the offender. The battle was joined usually in terms of failure to carry out measures of cooperation with the rival agency, or moves in direct opposition. Naturally, the effects were felt first by the German people, but they gradually penetrated through the Party, State or Gestapo grapevine, and a settlement was arranged "for the good of Germany."

A kind of jury-trial resulted. The rivals each spoke in their own defense before the Führer, Lammers, Hess or Bormann, and some of the neutral bigwigs. Spokesmen were also heard from the opposing camps. Questioning began; from the neutrals, suggestions were made. The Führer speaks. He assigns the blame, and directs the character of the solution in broad lines. The contestants shake hands and agree to meet with each others' experts shortly. At the following negotiations a *modus vivendi* agreement [sic] was achieved. Sometimes this resulted in some institutional changes; often it led to the creation of some new joint agency, or in "personal union" of the rival agencies through a single executive officer. Both of these solutions increased the complexity of the network of loyalties. The new agency was inserted into the old channels with special authority—often given it directly by the Führer—to go over the heads of the line people in the rival parent organizations. The executive with two hats was supposed to cut through red tape, but he also had two evenly matched bosses to worry about.[25]

The consequence of these practices for the Nazi empire approximated feudal monarchy. Numerous eye-witnesses have reported that Hitler held his power not as an absolute monarch but through his ability to operate a delicate system of checks and balances.[26] He was a unifying factor for the disparate and competing elements of National Socialism, possessed of a considerable power of his own over the masses and over many leading Nazis which has been termed "charismatic." These characteristics are precisely those of the successful feudal monarch like St. Louis. Without precisely encouraging strife among his cohorts, Hitler was capable of remarkable neutrality—an ability to remain above the battle. Thus he could intervene when he had discovered where lay the advantage to his own power and to the Reich as he saw it. He also had the habit of so "impartially" deciding an issue that aggressor and victim were treated equally, with the result that there was an advantage to activist policy.[27] Since he could not be everywhere, especially in the continuous crisis of wartime, Hitler had to encourage self-reliance and independence both in his paladins, and in the regional chieftains, the *Gauleiter*.

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mate business": *op. cit.* pp. 298–305. But economic resources were not the only weapons in the private war. The struggle over the private army, that essentially feudal instrument, gave rise to the ambush of June 1934 in which Goering and Himmler and ultimately, Hitler, brought down the SA, in the interests of the Reichswehr, and eventually, the SS. *Cf.* G. Reitlinger, *The SS: Alibi of a Nation* (London, 1956), pp. 54–71. The Secret Service was also the subject of a vicious fight to the finish: Walter Schellenberg, *The Schellenberg Memoirs* (London, 1956), pp. 227–240, 277–285, 398–412.

[25] See for example the Schacht-Goering episode described by Earl R. Beck, *Verdict on Schacht. A Study in the Problem of Political "Guilt,"* Florida State University Studies, No. 20 (Tallahassee, 1955), pp. 96–99, 60, 89–91. *Cf.* Frederick S. Burin, "Bureaucracy and National Socialism: A Reconsideration of Weberian Theory," *Reader in Bureaucracy*, edited by R. K. Merton, et al, (Glencoe, Ill., 1952), pp. 33–47. For a surprisingly favorable view of the "personal union" device, see K. Brandt, *The Management of Food and Agriculture in the German-occupied and other Areas of Fortress Europe*, Germany's Agricultural and Food Policies in World War II, vol. II (Stanford, 1953), xxiii–xxiv.

[26] Hans B. Gisevius, *Bis zum bitteren Ende* (Hamburg, 1947), I, 121–123, 138–139, 155 ff. Otto Strasser, *Die deutsche Bartholomäusnacht*, 6. Aufl. (Zürich, 1935), 17–33, 47 ff., 73–81. *Cf.* Walter Görlitz und Herbert Quint, *Adolf Hitler* (Stuttgart, 1952), 629–631.

[27] Rosenberg, *Memoirs*, p. 231.

In the last years of the Nazi era there is the most striking evolution along feudal lines. The *Gauleiter* became so fully identified with the interests of their bailiwicks that we find them behaving more like ancient stem dukes in their refusal to recognize the authority of the central government than like *missi dominici*. Hitler had to inveigh against the idea of hereditary Gauleitership, though he did not dare transfer recalcitrant *Gauleiter* where they had personally won the *Gau* for National Socialism.[28] As for the paladins, Goering, Goebbels, Himmler, and the newcomers, Speer and Bormann, had constructed virtually impregnable appanages. The more dependent Hitler became upon their empires for German victory, the more easily they looted the power of rivals like Rosenberg and Ribbentrop, Sauckel and Keitel. They made their systems independent of the central authorities and even of the Führer's support by absorbing some vehicle of power, usually economic, though Goebbels also used the mass media and Himmler the secret police.[29]

IV

An explanation of the feudal analogies to be found in National Socialism must inevitably draw upon the great amount of work already done on the institutional and ideological origins of the whole Nazi movement. These origins fall into five or six by no means mutually exclusive categories. One of the most popular sources of explanation, and with good reason, has been the nationalist tradition with its idealization of the state and the *Volk*. Less well-known until recently are the contributions of German romanticism, both those of right-wing intellectuals and the more popular versions of the educated middle class. Equally significant are the devastating yet strangely self-compensating influences of the First World War with its trench brotherhood and "self-realization." Then there is the era of the Weimar experiences, culminating in the fiasco of both liberal democracy and modern capitalism. Finally we have the German social system and its foundations in the economic order, in which the middle class failed to develop to maturity as defined by classical liberalism, due to the survival and predominance of a "feudal" aristocracy. Closely allied with this familiar explanation is the Marxist or semi-Marxist observation that Nazism was a kind of mask which modern capitalism was forced to wear in order to survive.

German idolization of the nation-state contributed to National Socialism the habit of fanatical loyalty to commands and to things German. German nationalism was not alone in being feverish and fanatical, before the First World War, but the newness and hot-house character of its object, the Bismarckian Reich, was all there was to be enthusiastic about. Unlike the English and French traditions with their ancient ingredients and recent glories, the German tradition was a poor resource for nationalism. Luther and the Old Fritz were the best they had. The Holy Roman Empire was something to be forgotten. On the other hand the prospects of colonialism among "inferior" peoples stimulated the Germans to refurbish their own colonial tradition in the Slavic East. The Pan-Germans and the East Marches League had the same outlook, the same appeal, the same speakers. If they debated the comparative merits of overseas and continental empires, they agreed that Germans were a *Herrenvolk*. They became ecstatic at the thought of Germans out on the eastern frontier or in darkest Africa fighting the good fight for civilization in spite of a stupid central government at home. "They had to take matters into their own hands out there." Efforts at treating "inferiors" on the same basis as Germans, according to the same laws, infuriated the *Grossdeutschen*.[30] Everyone knew a Czech had to be shown his place, not to mention the Poles. Out of disillusionment with a too fanatically idealized *Kleindeutschland*, and the conviction of German superiority to *Helotenvölker* sprang Hitler and his paladins.

The Germans were thoroughly permeated by the currents of romanticism which swept Europe in the nineteenth century. Underneath a thin crust of materialism and practicality developed in the good years of the Bismarckian era, there were two romantic streams which merged in the Nazi era. One stream was the *petit bourgeois* romanticism of sentimentality and utopian dreams; the other was the aristocratic and intellectual romanticism of the far right. The idealization of the feudal past was the contribution of this aristocratic tendency, while the idealization of Germandom as an elite was the contribution of the popular sentimentality of bank clerks and green grocers. Both shared the Great Man Theory of history without the mitigating suspicions of the French or the common-sense of the British. The *petit bourgeois* stream of romantic feeling opposed the prevailing dogmas of *laissez-faire* and liberal constitutionalism. Its devotees had no wish to see Czechs and Poles (or Jews) profit from economic freedom or uniform civil rights. The organicism of the Lagardes and the Spenglers led to utter opposition on the part of "enlightened intellects" to rationalistic and "mechanistic" solutions to problems of political, social and economic organization. An aristocratic elitism became the hallmark of leading German writers like Stefan George, Hugo von Hofmannsthal, and even Thomas Mann.[31] All that was necessary for these undercurrents to break out and flow together was the frustration of the immediate success of the German political and economic edifice in the First World War. Wartime fanaticism bred xenophobia, racism and utopian revolutionism, as well as the mysticism of charisma and the primitive magic of "blood and soil."

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[28] *Tischgespräche*, pp. 250, 252, 254. *Cf.* F. Neumann, *op. cit.*, p. 535; E. Vermeil, *The Third Reich*, p. 299.

[29] A characteristic stage in the development of feudal offices is the assignment of tasks by the leader to table-companions and household employees. Precisely this stage was reached in 1945 Hitler Germany, especially in the Führer-Bunker. Furthermore, whether guilty or innocent, Goering and Himmler were accused in April 1945 by Hitler of that fatal feudal disease: *frondieren*. Each absented himself from the court in a suspiciously distant corner of the kingdom.

[30] *Cf.* Ernst Hasse, *Das deutsche Reich als Nationalstaat*, Deutsche Politik, Heft 1 (Munich, 1905), pp. 61–62.

Probably no factor in the formation of National Socialism is more vividly embodied in Nazi language and institutions than the impact of the First World War. Their uniforms, their rank-consciousness and their idealization of the simple soldier (*i.e.*, Adolf Hitler) do not seem, off-hand, to have any affinity for feudalism. Yet the five years of combat experience, sometimes augmented by post-war paramilitary service in some free corps, infused future Nazis with the notions of loyalty, responsibility and the *Gefolgschaft*-ideal. Actual frontline veterans developed personal loyalties to able junior officers, battle-proven captains and majors, who had the courage to make decisions. Such veterans acquired the deepest distrust—even hatred—for the official hierarchy, civilian and military, which was too big to understand what it was doing, too blindly uniform and illogically logical.

They developed into what the National Socialists called *Kampfnaturen*, men who saw life itself as eternal conflict, who divided the world into "we and they," those for us and those against us. Such men had been hurt too badly to classify friends and enemies naively, that is, solely by the color of the uniform. Indeed—except for the few close comrades of the *Kampfverband*, all outsiders were enemies—to be divided into the external and internal enemies. Out of their practical experience with the testing of leaders, these veterans evolved their own ideal of a natural elite, which served further to establish feudal patterns of organization in the paramilitary formations of the post-war era, the matrix of the NSDAP: "Listen to me, youngster. . . . Get this through your head once and for all. There is no peace and there are no laws. You come with me and I'll show you . . . a power higher than all your laws!"[32]

The war revived in German civilians the romantic conception of the knight, of soldierly self-realization through self-sacrifice and of "Prussianism." The latter ideal was avidly picked up by the rear guard of the aristocratic-intellectual wing of romantics and set over against the "inadequacies" of bourgeois parliamentary leadership. The Ludendorff-Hindenburg dictatorship from 1916 on, as well as the fantastic dreams of empire in eastern Europe aroused by an ever-enlarging zone of military occupation from 1915 to 1918, lessened the tenuous hold on political realities of the German bourgeoisie. In consequence, the collapse of the Second Reich both militarily and politically came as a terrible surprise to romantic civilians, but to aristocratic thinkers and hard-bitten infantry lieutenants alike, as a grimly foreseen result of following false gods. The *Dolchstosslegende* represented the blending of these different reactions in a devastating rejection of the self-satisfaction of 1914. The "free corps" movement was only the most obvious embodiment of the German confusion: the need to act, to fight back, both against the external enemy (*e.g.*, the Poles) and the more frightful and hated internal enemy (*e.g.*, the Bolsheviks). In it all the feudal tendencies of the war years could be realized.[33]

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[31] See Peter Viereck, *Dream and Responsibility: Four Test Cases of the Tension between Poetry and Society* (Washington, D. C., 1953), pp. 23–25; Harry Slochower, *Three Ways of Modern Man* (New York, 1937), pp. 57–69; *cf.* Hugo von Hofmannsthal, "Die Rede Gabriele d'Annunzios," *Gesammelte Werke, Prosa*, I (Frankfurt am Main, 1950), 335–348. "Der Schutzherr bestimmt den Feind, kraft des ewigen Zusammenhangs von Schutz und Gehorsams," Carl Schmitt, *Der Begriff des Politischen* (Hamburg, 1933), p. 35.

[32] From Edwin Dwinger's autobiographical *Auf halbem Wege* as quoted in Robert G. L. Waite, *Vanguard of Nazism. The Free Corps Movement in Postwar Germany 1918–1923* (Cambridge, Mass., 1952), pp. 269–270.

One of the anomalies of the Weimar era was the apparent come-back, after the difficult postwar years, of German liberalism and common-sense. It was not until the 1930s that the real weaknesses of the Republic showed up. Perhaps the Germans were rendered even more prone to anti-rationalist, anti-western solutions by the failure of their more or less sincere efforts in the period 1919–1929. At any rate, the continued existence of a vocal minority for whose *Weltanschauung* the war had dotted the *i*'s and crossed the *t*'s was assured by the initial failure of the German revolution of 1918 to soften the hearts of the Allies at Paris. Furthermore, the success of German moderates of all classes and political creeds in the construction of a liberal capitalism and a democratic central state did not prevent Germany's former enemies from being suspicious or worse in the troubled negotiations of the early 'thirties. The depression put the finishing touches on a case the future Nazis had been building up since before 1914.[34]

It was their underlying belief that the whole of Germany's recent past had been based on false assumptions. The effort to construct a modern nation-state on liberal lines in the image of France had been pursued since 1807. The notion that the disunity of Germans had been overcome prevailed after 1871. Both of these errors had been compounded in 1919. The Weimar state was a rationalistic nightmare, they asserted, and a Frankenstein to boot. Since the contradictions among Germany's social classes, regions, and special interests had *not* been surmounted, the administrative and police powers of Berlin had been hugely augmented without clear-cut lines of responsibility. Parliamentary government allowed for the most devastating powers with the least personal responsibility. No single party had an adequate popular base to win a majority with which to act.[35]

From its outset the Weimar state and indeed the Weimar society depended upon shaky coalitions. This inevitable condition became the Achilles' heel of the "System." Bolsheviks and Nazis, Nationalists and Racists discovered that in temporary alliance they could tear down the edifice they so much despised. Thus it was not only by antithesis that the Weimar era contributed to the feudalistic thinking of the Nazi era, but directly, through the growing pains of men like Adolf Hitler and parties like the NSDAP.[36]

The often expressed desire to "escape the destructive effects of liberal economics" in German social thought found an echo in the views of both extremes of the German middle class well before the First World War. The German bourgeoisie had been very tentative during the nineteenth century with regard to *Manchesterismus*. *Kleinbürger* retained a nostalgic feeling for self-regulating guild-life; the tycoons of Wilhemine Germany regarded the "cooperative spirit" of the cartel as both natural and necessary. Meanwhile the typical exponent of *laissez-faire* and free trade, the well-to-do or middle bourgeois, had been wheedled and threatened into believing that *for Germany* the Bismarckian economic and political solution was better. As a result, this pillar of society became a defender of inequality of treatment, rather than the traditional defender of liberty and equality. It is with all three versions of this German middle class in mind that scholars like Franz Neumann and Edmond Vermeil have characterized it as a "feudal bourgeoisie" and termed the German social order before the war as a *mariage de convenance* between Junkerdom and the industrial barons.[37]

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[33] Parallel tendencies after World War II are strikingly revealed in an article in the SS-veterans' monthly, *Wikingruf*, September, 1956. "Suum cuique: Ein Bekenntnis zum Preussentum," by G. Bardey, emphasizes a search for security in a feudal-type military relationship. *Cf.* H. Mau's stress on the SA as a "soldierly" symbol: "30. Juni 1934—Zweite Revolution," *Vierteljahrshefte für Zeitgeschichte*, April 1953, p. 125.

[34] See the articles by Louis R. Franck and Arthur Schweitzer in *The Third Reich*, pp. 539–594.

[35] Godfrey Scheele, *The Weimar Republic: Overture to the Third Reich* (London, 1946), pp. 120–160.

[36] F. Neumann, *op. cit.*, pp. 8–34. It might be observed that from an early date Hitler showed a genius for making temporary political combinations; *cf.* Bullock, *op. cit.*, pp. 77–78, 85, 90, 103, 132. Perhaps the ability to convert an essentially weak position into new strength by temporary alliances vouchsafed by the Weimar system led National Socialism into its inner contractualism (temporary alliances among the leadership); *cf.* F. Neumann, *op. cit.*, p. 522.

[37] F. Neumann, *op. cit.*, p. 5; E. Vermeil, *Germany's Three Reichs* (London, 1945), p. 258. Joseph Schumpeter wrote: "Whoever seeks to understand Europe must not overlook that even

It would scarcely be a surprise to discover that the intellectuals attached to such a combination would romanticize the medieval aristocracy and develop an elaborate feudal imagery of loyalty, blood and soil, decentralized responsibility and contractualism. Lacking the bedrock assumptions of equality derived from the political successes of the French and English lower middle class, the German *petit bourgeois* was easily made the dupe of a romantic revolutionism which offered to overthrow for him precisely those rationalistic safeguards which were his only protection from the strong and the ruthless.

It has sometimes been alleged, even by non-Marxists, that National Socialism was the offspring of the unholy union of predatory capitalists and reactionary landlords with the romantics of the right in service as midwives.[38] If this were true, there might well be feudal traits in the offspring. There is also the milder judgment, that German Big Business sought unsuccessfully to use the Nazis, who had other origins and motives, to keep the allegiance of the disgruntled middle class from gravitating to Moscow.[39] Here we encounter one of the most fascinating and difficult aspects of history and politics: the ambiguity of motivation. At one level there is most certainly the effort to disguise the ever-increasing power of the industrial and banking elite by the appeals of false socialism and the cheap bread and circuses of fascism. Here we will find the middle classes purposely taken in with a pretense at decentralization, medieval analogies, *petit bourgeois* romanticism and a new aristocracy of blood and soil. At this level we will find the "reality" quite different. The Nazis are brought in as partners, or force their way in on the ground floor, to the great economic empires of Germany. These interlocking power systems did not fall victim to the revolutionists' axes because they were scarcely understood, scarcely visible. They continued to grow during the Nazi era, concealed by the elaborate romantic propaganda of the Nazis, many of whom were themselves dupes of their own making, a few of whom were cold cynics like Goering, Goebbels and Speer, who knew perfectly well that economic strength followed its own laws.[40]

In a way then, Nazi "feudalism" was merely play-acting. Rosenberg acknowledges this in his prison memoirs when he states that the Third Reich was a theatrocracy, a notion he borrows from Jacob Burckhardt.[41] Some Nazis "lived their parts" better than others. The German middle class, from which the rank and file of supporters came, had turned to a fantasy world, and a make-believe language which they called the "higher truth" just because they found the level of rationalization in real economic and political life too cruel. "Cold rationality" and "the colorless network of self-interest" were the reality, even after an intellectual flight from the scene occurred in the form of National Socialism. Both *petit bourgeois* preoccupation with blood and soil and aristocratic-intellectual preoccupation with "leadership" disguised the mounting *rational* impersonality of economic forces of which even the cartel chiefs were merely agents.[42]

And yet there was a deeper level of motivation. Unconsciously German industrialists and Nazis alike seemed to be trying to adapt themselves to factors of disintegration within German society.[43] Not merely as a form of protest against the rationalization of the economy and society, nor as a mere flight into fairy-tales, *but as a sincere, but primitive effort to hold together a crumbling social order* Nazi neo-feudalism is worthy of attention. It is particularly in this sense that Coulborn's formulations apply.

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today [1919] its life, its ideology, its politics are greatly under the influence of the feudal 'substance'. . . . " *Imperialism and Social Classes* (New York, 1951), p. 122.

[38] *Cf.* Heinz Pol, *The Hidden Enemy: The German Threat to Post-War Peace* (New York, 1943), pp. 23–27, 50–72, 234–241, 254–258.

[39] G. F. W. Hallgarten, *Hitler, Reichswehr und Industrie. Zur Geschichte der Jahre 1918–1933*, 2. edition (Frankfurt am Main, 1955), pp. 43–46. See also his "Adolf Hitler and German Heavy Industry 1931–1933," *The Journal of Economic History*, Summer 1952, pp. 222–246.

[40] Richard Sasuly, *IG Farben* (New York, 1947), pp. 53–177; Judgment, case 10, *Trials of War Criminals*, IX, 1445–1446; NI-9981 and NI-3488, case 5, *ibid.*, VI, 244–245.

[41] Rosenberg, *Memoirs*, p. 248. Max Weber wrote " . . . when enthusiasm and emotional response are rationally calculated *into* the equation of power, we are not dealing with genuine feudal and/or charismatic power." *Essays in Sociology*, p. 254.

[42] Neumann, *op. cit.*, pp. 350–356.

[43] Schacht, for example, was an economic rationalist who tried to compromise with chaos; he managed quite successfully from 1933 to 1936. By 1937, however, he and the Nazis disagreed about *the degree* of lawfulness to be preserved: Beck, *op. cit.*, p. 92.

V

Like most revolutionaries, the Nazis sought to restore a "natural order." Their predilection for Wagnerian opera reveals their conception of the universe of natural forces. It is a pluralistic universe. Instead of one divine lawgiver, there are many rival wills—with man's fate the product of their struggle. Dimly perceived in the nineteenth century by romantics like Wagner, the notion that man is a small weak object, buffeted about by the crosscurrents of huge competing powers not only reproduces the social conditions of the early middle ages, but also the character of modern western society. Germany represents merely a pronounced case of this "pluralism." The "natural order" the Nazis imagined was derived from the social reality of the twentieth century, abstracted and romanticized, and then reified again as neo-feudalism.

Nineteenth century liberalism, and to a lesser extent the society which invented it, was also pluralist. Where it was most successful, in France and England, an elaborate and intricate combination of cooperation and competition between the social atoms (men and firms) resulted in a unity more perfect than that achieved by the New Central Monarchies of the sixteenth and seventeenth centuries. Germany did not achieve this atomistic pluralism, much less the delicate and fragile unity of nineteenth century liberal Britain. Instead Germany came upon the scene as a world power just when modern capitalism had developed into a small number of competing monopolistic units and when popular government and modern technology had created deadly imperial rivalries. Within Germany, on the other hand, the old security-giving social structures of village and guild were dissolved by the power of the state, the modern business corporation and pressure groups. Unable to draw upon a clear and precise traditional definition of the state, some Germans defined it as merely the sum total of all the rival interest groups in the society, with the consequence that proportional representation of these interest groups became the fetish of the twentieth century German democrat. Other Germans, less democratically inclined, sought in charisma and symbolism to discover a new cement which would make the state, the cartel and the pressure group *one*, instead of rival solvents of the old relationships.

In the idealized personal loyalty of feudalism, applicable to the firm, the battlefield, the party and the government agency, the Nazis found a kind of anodyne to the devastating sense of chaos and isolation which the twentieth century brought especially to the Germans. They, in effect, were converting the rivalry and struggle, the temporary agreement and the network of "connections" of modern society into a way of life. They sought to make of what appeared to be necessity, a virtue. In a strange blend of hard-headed realism and romanticism, they attempted to accept the pluralism of the world of politics, of economics and of men in general, and to construct from the pieces a *Mythos* or world-view which would sustain them instead of destroy them.[44] But they were never able really to accept a plural universe, and their *Mythos* was only a patchwork.

In fact, this "wreckage of dead classes"[45] which constituted the Nazi elite could only team up with surviving elements of a decomposing political and economic system. Their "constructive" contributions to German survival represented a cannibalization of the remaining social system for the benefit of the contracting parties. Thus we have the Nazis and the cartels, the Nazis and the bureaucrats, the Nazis and the army. The feudal analogy is very pronounced at this point: barbarians are hired to defend the body politic; they also gravitate to rival elements in that disorganized system and become rivals of each other in the process; ultimately they dissolve the old network of relationships entirely. With luck, they may carve out for themselves new power-constellations, more or less stable. Or they may function only as destroyers.[46]

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[44] Coulborn suggests that feudalism " . . . appears in an age of failure of the high culture as a whole," also noting that "some feudal periods have been conspicuous also as 'ages of faith,' " *op. cit.*, p. 10. The effort to regard the inner circle of National Socialism as *merely* cynical nihilists results in half-truths: "It was a purely masculine Order, confined to initiates, to those with 'knowledge'—knowledge of nothing but the cynical nihilism that was the definition of their existence. In the presence of the masses they seemed to be performing pseudo-religious rites. . . . " E. Vermeil, *The Third Reich*, pp. 297–298.

[45] "Söhne des Chaos" (sons of chaos) are Hitler's own words to describe what Konrad Heiden has described as "the wreckage of dead classes," *Der Fuehrer*, p. 100; *cf.* Vermeil, *The Third Reich*, p. 304. Toynbee's internal proletariat comes to mind here along with Erich Fromm's concept of "alienation": *A Study of History* (Abridgment by D. C. Somervell of vols. I–VI: Oxford Univ. Press, 1956), pp. 393–403; *Escape from Freedom* (New York, 1941).

[46] More revolutionary than a frontal attack on Germany's institutional integrity was National

National Socialism is to be understood, then, as an effort of a disorganized society to repair itself, or rather, as an effort *of certain of its members*, whose own experience and character were the product of the very disorganization they sought to repair. To be sure they conceived of themselves as especially chosen by fate or history for this role; a disintegrating society *does* call forth such types: cutters of Gordian knots, empire-builders, scorners of theory. But only rarely were National Socialists able to escape from their own romanticism and wishful thinking. As a result their constructions were not truly empirical; their *Mythos* was too bound up with their own immediate past. Yet it is sobering to recall that it was only a thorough military defeat by a powerful coalition of three great societies, the United States, the British Commonwealth and the Soviet Union, that drove these improvisers from the stage.

A question universally asked is whether the conditions which made their appearance possible have been radically altered. Much of the current optimism with regard to Germany is based upon explanations of National Socialism which do not stress the neo-feudal or pseudo-pluralist aspects of Nazism. The optimism is, of course, primarily based on the successes of the German Federal Republic, its economic strength, its relative homogeneity, its political maturity and flexibility. The total collapse of specifically Nazi figures and Nazi legends (*i.e.*, Hitler) is reassuring, but it may indicate the inadequacy of the specific National Socialist response to German social disorganization, rather than a guarantee that another crisis cannot develop in the relationships of the state, the parties, the corporations and other pressure groups. The German people may well have been inoculated against the superficial aspects of neo-feudalism: medievalism, *Gefolgschaft*, Teutonic Orders and *Gauleiter*. The question remains whether they have been welded together sufficiently in the fiery furnace of national disaster and in the short period since 1945 to counteract the legacy of their past and the divisive forces of modern industrial society.

Socialism's tendency to plant seeds of disintegration in potential rivals: H. Mau, "30. Juni 1934—zweite Revolution," *Vierteljahrshefte für Zeitgeschichte*, April 1953, pp. 126, 136. Goebbels spoke of a "poison gas that penetrates the most solid objects" (opponents' institutions and faith), effecting their internal decomposition: Vermeil, *The Third Reich*, p. 320.

THE BENEVOLENT LEADER: CHILDREN'S IMAGES OF POLITICAL AUTHORITY

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Society's training of the young, including formal and informal citizenship instruction, character training, and the processes which lead to the development of different personality types, has been seen as an important determinant of adult political behavior by theorists since Plato. In addition, much of our traditional folklore, not to mention much twentieth century literature on personality development, national character, authoritarianism, and electoral preference, points to the utility of examining the individual's early years as one means of illuminating his mature actions.[1]

The present paper considers one aspect of the child's political development—the genesis of his attitudes toward political leaders and the possible ways that this developmental process may affect his adult responses to the formal wielders of power. Citizens' orientations to political authority have a complex and imperfectly understood, but obviously important, bearing on the equilibrium of a body politic.

Two classes of data will be considered: survey literature giving some indication of how adults respond to political leaders, and results of a study of 659 New Haven public and private school children of widely varying socio-economic status, ranging from fourth- through eighth-graders (about nine to thirteen years of age). Paper-and-pencil questionnaires were administered to this sample between January and March of 1958. Findings from these sources are supplemented by a smaller collection of prolonged interviews with individual children and many informal encounters with groups of school children and teachers over a period of about two years.[2]

I. ADULT ORIENTATIONS TO POLITICAL LEADERS: AMBIVALENCE

Adult orientations to political leaders display a curious inconsistency, which must be noted to give meaning to my New Haven pre-adult findings. To begin with, political roles, such as Senator, Mayor, Governor, and Judge, are in general highly esteemed by adults in the United States. Over the years, the many studies of occupational prestige have shown that people rank these roles well above all but an occasional civilian role (such as physician) in terms of importance and status.[3] On the other hand, responses are much more variable when people are asked to rate individual public officials. The best barometer of this variation is probably the American Institute of Public Opinion's monthly estimates of presidential popularity. For over two decades, national cross-sections have been asked questions such as the following:

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[1] The first thoroughgoing consideration of the problems in studying political socialization, including a summary of much past research which is germane to understanding political development, is Herbert Hyman's *Political Socialization* (Glencoe, 1959). Emphasis on the socialization process as a determinant of adult behavior does not, of course, carry the implication that "only . . . childhood events determine adult behavior." *Cf.* Nathan Leites, "Psycho-Cultural Hypotheses about Political Acts," *World Politics*, Vol. 1 (1948), pp. 102–19.

[2] For a full report of the larger study from which these findings are drawn, along with a more detailed discussion of its methodology, see Fred I. Greenstein, *Children's Political Perspectives: A Study of the Development of Political Awareness and Preferences among Pre-adolescents*, unpublished doctoral dissertation, Yale University Library. The major methodological point which should be noted here is that the respondents consist of the populations of three public and one private school, rather than a probability sample of New Haven children. As a rough means of compensating for this difficulty, socio-economic status was controlled in the data analysis. However, since SES differences are not relevant to the present discussion, data for all respondents are presented combined.

When data are reported by age, systematic variations between the younger and older age groups are treated as evidence of developmental changes. It is always possible, however, in a cross-sectional study that some other variable is responsible for apparent age differences. Therefore, further validation of statements about development by longitudinal procedures is desirable. For a discussion of the relative merits of cross-sectional and longitudinal research, see the articles by John B. Anderson and Margaret Mead in Leonard Carmichael, *Manual of Child Psychology* (New York 1954).

I am deeply indebted to Robert E. Lane for his thoughtful criticism at every stage of this project. Earlier drafts of this paper profited from comments by James David Barber, Harold D. Lasswell, Richard D. Schwartz, and Jerome H. Skolnick.

[3] See "Jobs and Occupations: A Popular Evaluation," *Opinion News*, Vol. 9 (September 1, 1949), pp. 3–19; Mapheus Smith, "An Empirical Scale of Prestige Status of Occupations," *American Sociological Review*, Vol. 8 (1943), pp. 185–92; Harvey C. Lehman and Paul A. Witty, "Further

Do you approve or disapprove of the way President X has been handling his job?

During his first term in office, favorable responses to President Truman ranged from 87 percent to 32 percent. Roosevelt and Eisenhower also fluctuated in popularity, although not as sharply.[4]

Perhaps as a function of this blend of respect for high political roles and more qualified opinions toward the men who fill these positions, the mere fact of incumbency seems to have a positive effect on a leader's popularity. Thus it has been found that shortly after a president is elected people who were hitherto opposed to him upgrade their evaluations. This probably is a specific case of what has more generally been called the *fait accompli* effect. For example, support for a law increases after it has been passed and, conversely, people are less likely to back policy proposals if they are told that it will be necessary to change a law, or amend the constitution, to achieve this goal.[5]

But this is not the whole story. As is well known, distinctly anti-"politician" and anti-"politics" views are widespread in the population. The survey literature abounds with evidence that substantial groups of people agree that "It is almost impossible for a man to stay honest if he goes into politics," that it is at best dubious for a young man to make politics his career, and so forth.[6] Unsympathetic images of politics and the politician also are revealed by a great many adults in responses to various questions about the individual's political efficacy, as measured for example by willingness to agree with the statement "I don't think public officials care much what people like me think."[7]

The seeming inconsistency between this set of attitudes and responses to individual political leaders and roles has led one recent commentator to write of "the ambivalent social status of the American politician."[8]

II. CHILDREN'S ORIENTATIONS TO POLITICAL LEADERS: UNQUALIFIED SYMPATHY

Possibly the most striking outcome of the New Haven study was the finding that the prevailing adult skepticism and distrust of politics and the politician simply did not seem to be present in the grade school sample. In spite of a variety of attempts to evoke such responses during my preliminary interviewing and pretesting, there was no evidence even of a frame of reference which would make it possible to use questionnaire items tapping the dimension of political cynicism. Moreover, although the final New Haven questionnaires contained a number of items which might have evoked spontaneous references to the malignancy of politicians, only one or two of the 659 children made statements which could be construed in this way.[9]

Let us now note some more specific findings.

(1) Children are like adults in their ranking of high political roles. Members of the New

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Study of the Social Status of Occupations," *The Journal of Educational Sociology*, Vol. 5 (1931-32); George W. Hartmann, "The Prestige of Occupations," *The Personnel Journal*, Vol. 13 (1934–35), pp. 144–52. For an early attempt at cross-cultural study, see Jerome Davis, "Testing the Social Attitudes of Children in the Government Schools in Russia," *American Journal of Sociology*, Vol. 32 (1926–27), pp. 947–52.

[4] The variations in Truman's first-term popularity are summarized in Bernard Berelson *et al.*, *Voting* (Chicago, 1954), p. 258. Public responses to Roosevelt may be found in Hadley Cantril and Mildred Strunk, *Public Opinion 1935–1946* (Princeton, 1951). For Eisenhower's popularity see the regular news releases of the AIPO.

[5] Hadley Cantril, *Gauging Public Opinion* (Princeton, 1944), pp. 43–44; Paul F. Lazarsfeld *et al.*, *The People's Choice* (New York, 1944), p. 38; Paul F. Lazarsfeld, "Public Opinion and the Classical Tradition," *The Public Opinion Quarterly*, Vol. 21 (1957), p. 47.

[6] Cantril and Strunk, *op. cit.*, p. 584; National Opinion Research Center, *The Public Looks at Politics and Politicians,* Report No. 20, March 1944.

[7] Angus Campbell et al., *The Voter Decides* (Evanston, 1954), pp. 187–94.

[8] William C. Mitchell, in the *Western Political Quarterly*, Vol. 12 (1959), pp. 683–98.

[9] This is not to say that children never develop aversions to *individual* political leaders, although as is shown below, they probably are less likely than adults to do so. One item which did evoke spontaneous negative references to individual politicians asked the child to "Name a famous person you *don't* want to be like." About 15 percent of the respondents named a political leader of the present or of the recent past. Interestingly, more than half of these references were to foreign leaders such as Nikita Khrushchev. Follow-up interviews suggested that some of the negative references to domestic leaders were rejections of the responsibility of being (say) president, rather than personal criticisms of the leader.

Haven sample were asked to tell which of a number of adult roles are "most important." Choices offered included the President and Mayor, authority figures of the immediate environment such as school principals and teachers, as well as physicians, clergymen, police chiefs, and judges. At every age level, there were more references to the President and Mayor than to any of the other roles.

Table I, which reports the responses of the youngest group in this sample, shows that even by the age of nine this orientation has become firmly entrenched. Both political executives were mentioned by over ten percent more fourth graders than even the prestigeful physician. Evidently, the importance of political roles is learned early; just how early cannot be determined from this sample. However, the following passage from an interview with a seven-year-old (just beginning second grade) is illuminating:

TABLE I. JUDGMENTS OF WHICH ADULT ROLES ARE "MOST IMPORTANT" BY FOURTH GRADE CHILDREN*

Roles	% Choosing Each Role
President	80
Mayor	79
Doctor	57
Police Chief	51
Judge	48
School Teacher	35
Religious Leader	32
School Principal	22
Number of Cases	111

* Children were permitted four choices, so the percentages exceed 100. The mayor's prestige may be a function of the great personal popularity of New Haven's incumbent city executive. See the note to Table II.

Interviewer: Have you ever heard of the President of the United States?
Robert: Yes.
I: What is his name?
R: Eisenhower.
I: What does he do?
R: Well, sometimes he . . . well you know . . . a lot of times when people go away he'll say goodbye and he's on programs and they do work.
I: What kind of work does he do? Do you know any more about it?
R: (after thought) Studying.
I: What sorts of things does he study?
R: Like things they gotta do . . . like important . . . what's happening and the weather and all that.
I: Now tell me this. Who is more important, the President of the United States or a doctor?
R: (Pause) The President.
I: Who do you think is more important, the President of the United States or a school teacher?
R: (Emphatically) President!
I: Why is the President more important?
R: They do much more work and they're much importanter. School teacher isn't.
I (After being told in response to further questions that the President also is more important than a store keeper and than a general in the Army): Who do you think is more important than the President?
R: (Long pause) Lemme see . . . I don't know.

Robert's answers provide some insight into how political learning takes place. Not only does he have a firmly entrenched assessment of the President's importance, but he has also—as his attempt to explain the President's duties in terms of a work-a-day seven-year-old frame of reference shows—acquired this assessment in the virtual absence of cognitive information. Evaluations and "affective knowledge" about political leaders seem to precede the factual information on which they might be "based."

The younger New Haven children were almost devoid of political knowledge. All but a handful of them knew the names of the President and Mayor, but few knew much more than this. Within the brief age span of this sample, the level of political information increases considerably, as can be seen in Table II. But the structure of cognitive information is erected on a foundation of feelings, assessments, and opinions; and the development of critical faculties waits on a later stage. Estimates of the importance of political leaders, incidentally, follow the same developmental course as another adult orientation—party identification. New Haven children described themselves as Republicans or Democrats long before they were able to make any meaningful statements about the parties, or even to link the party labels with the names of conspicuous leaders such as the President and Mayor.[10]

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[10] Moreover, they expressed the party identification which was "appropriate" for their demographic group. The children's reports of familial party preferences support the familiar thesis that membership in American political parties is "inherited." How party identification develops and the relationship between this process and the de-

(2) Another point at which the New Haven children's orientations can be compared, at least tentatively, with adult responses, is in their ratings of individual political leaders. Following the various information items which called, for example, for descriptions of the duties of the Mayor, Governor, and President (reported in Table II), the children were asked to evaluate these leaders on a four-point scale ranging from "very good" to "bad."

TABLE II. "REASONABLY ACCURATE" RESPONSES TO SELECTED POLITICAL INFORMATION ITEMS, BY SCHOOL YEAR*

Information asked	School Grade				
	4th	5th	6th	7th	8th
President's name	96%	97%	90%	99%	100%
Mayor's name	90	97	89	99	97
President's duties	23	33	44	65	66
Mayor's duties	35	42	50	66	67
Governor's duties	8	12	23	36	43
Role of state legislature	5	5	9	24	37
Number of cases	111	118	115	135	180

* A correct response to the items "President's name" and "Mayor's name' involved writing the names of the appropriate official on the questionnaire. Children in the lower grades were given assistance in spelling when necessary. Rather "generous" criteria were used for classifying descriptions of political executives and legislatures as "reasonably accurate." Coding and administration techniques are described in detail in Greenstein, *op. cit.* The high degree of familiarity with the mayor's name and duties probably is due to the unusual popularity of that individual at the time, rather than to a general conspicuousness of city executives. Pre-tests in a nearby town showed that only 40 per cent of the fifth graders knew the First Selectman's name and fewer could describe his role.

Here children's responses did not merely reflect what might be expected from comparable adult samples. Their modal assessment of each of the three incumbents was in the highest possible category—"very good."[11] Judging from the way national cross-sections of adults responded to the opportunity to rate President Eisenhower during the (shortly post-sputnik) months of this survey, children's views of political leaders are substantially more favorable than those of their elders. Table III contrasts the New Haven responses with the American Institute of Public Opinion's February 1958 report of the President's popularity. Needless to say, this juxtaposition of New Haven findings with national survey data must be treated as suggestive, rather than conclusive. However, differences between these groups in evaluation of the President are considerable. Adults seemed to be about five times more willing to criticize the chief executive.[12]

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velopment of other orientations which affect adult electoral choice will be discussed in a subsequent publication.

[11] The report of these findings in Table III shows not only that ratings of the three incumbent political executives were exceptionally favorable, but also that few children failed to express an opinion. In fact, two-thirds of the sample evaluated all three leaders, although, as can be seen from Table II, many fewer were able to describe the duties of each of these individuals. This raises the possibility that responses to the evaluation item may be "invalid", as a result, for example, of perseveration. I do not believe that this is so for the following reasons:

(1) Some variations in ratings of the three leaders emerged, within the context of a general willingness to (a) evaluate and (b) make a highly positive assessment. For example, "don't know" was checked with respect to the lesser known governor more often than with respect to the mayor and president.

(2) Seventh and eighth grade children evaluated a non-incumbent political leader, Adlai Stevenson, as well as the three incumbents. Stevenson's ratings were much less favorable than Eisenhower's (with a modal response of "fairly good").

(3) Within the general tendency to produce favorable ratings, differences between subgroups in the sample were evident. Children with Democratic party identifications were significantly more likely to give high ratings to the Democratic Mayor and Governor, and Republicans were significantly more favorable toward Eisenhower.

(4) The possibility of checking "don't know" was emphasized in the administration instructions, and this alternative appeared before the other possibilities in the questionnaire. In addition, each evaluation item was separated from the next by a series of intermediary items. The anonymity of questionnaire responses was stressed.

Rather than being an artifact of the questionnaire, I suspect that the responses reported in Table III are further evidence of children's early propensity to make political judgments in the absence of much information. *Cf.* Nicholas Babchuck and C. Wayne Gordon, "The Child as a Prototype of the Naive Informant in the Interview Situation," *American Sociological Review*, Vol. 23 (1958), pp. 196–98.

[12] At least three points of non-comparability should be noted: the differences in population; the differences in question wording; and the differences in response alternatives. With these major reservations in mind, the following additional AIPO findings on President Eisenhower, for the

TABLE III. CHILDREN'S EVALUATIONS OF THREE POLITICAL EXECUTIVES CONTRASTED WITH ADULT EVALUATIONS OF PRESIDENT EISENHOWER DURING THE SAME TIME PERIOD

	Children			Adults*	
	The Mayor	The Governor	The President	The President	
Very Good	62%	40%	71%	Approve	58%
Fairly Good	27	28	21		
Not Very Good	4	2	4	Disapprove	27
Bad	1	—†	1		
Don't Know	6	30	4	No Opinion	15
Number of Cases	651‡	643‡	649‡		

* February 1958 AIPO findings, reported in March 1958 release. These findings are based on a national sample. On their comparability with the New Haven data, see footnote 12.

† Less than 1%.

‡ Number of cases does not equal complete sample due to invalid responses.

New Haven responses to items dealing with political efficacy also suggest that children are far more positive in their political orientations than adults. Less than two percent of the children said that they would not vote when they reached twenty-one. And over two-thirds agreed that "it makes much difference who wins an election," in contrast to the markedly smaller proportions of adult samples making such statements.[13]

(3) I have already noted that various items in the New Haven questionnaire might have stimulated spontaneous references to graft, corruption, political immorality, and so forth, if these images were important in children's perception of politics, and that such references were not made. However, a totally different set of orientations did emerge spontaneously in response to several of the open-ended items.

These were the six items asking for descriptions of the duties of local, state, and federal executives and legislative bodies (Table II). The items were quite unstructured, simply asking, "What sorts of things does the Mayor (etc.) do?" As might be expected, most of the children who were able to respond made rather straightforward factual assertions—"The Mayor runs the city"; "Congress makes laws"; etc. What was surprising, however, was that a conspicuous minority of the children volunteered affective or affectively-toned responses—especially in descriptions of the Mayor and President. As noted above, only one or two of these statements were unsympathetic. Several classes of response are worth examining in more detail.

A. *Services to children.* About ten percent of the respondents eschewed reference to more widely recognized duties of the mayor and mentioned child-related portions of his role. For example:

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months surrounding this survey, may be noted. (AIPO releases November 1957, January and March 1958).

	Approve	Dis-approve	No Opinion
November 1957	57%	27%	16%
January 1958	60	30	10
March 1958	52	33	15

The November AIPO report, which controls for region, suggests that Southern responses may have inflated the "disapproval" column. In that month, Eastern states were reported as 65% approve, 21% disapprove, and 14% no-opinion. This still is considerably more than the 5% of the New Haven children who checked the "bad" and "not very good" alternatives.

[13] For example, in the Survey Research Center's 1952 election study sample, only a fifth of the respondents claimed that "it would make a great deal of difference to the country whether the Democrats or the Republicans win the elections." Angus Campbell *et al.*, *The Voter Decides* (Evanston, 1954), p. 38. The same reservations about comparability of samples, question wording, and response alternatives expressed in note 12, above, are also relevant here.

The Survey Research Center reports that 43 percent of the respondents replied "some difference, minor differences." Compare a 1946 cross-section of the national population which was asked: "Do you think it makes much difference or only a little difference which party wins the elections for Congress this fall?" About half said it made "much difference," about 30 percent "little," and the remaining 20 percent was divided evenly between "no difference" and "no opinion." Cantril and Strunk, *op. cit.*, p. 582.

[The Mayor] makes parks and swings. (Fifth grade girl)

[The Mayor] repairs the parks, roads, schools, and takes the snow off the roads when it snows. (Fifth grade boy)

It is a reasonable assumption that when a child's first image of a political leader is in terms of pork-barrel indulgences to the child, his image is a favorable one.

B. *General benevolence.* More generally, children tended to describe political leaders as "helping," "taking care of," and "protecting" people. Benevolent perceptions of this sort were especially evident in descriptions of the President and Mayor, but also occasionally were apparent in descriptions of the Governor and of legislative bodies. For example:

[The President] deals with foreign countries and takes care of the U. S. (Eighth grade boy)

[The Mayor] helps people to live in safety. . . . The President is doing a very good job of making people be safe. (Fourth grade girl)

[The President] gives us freedom. (Eighth grade girl]

[The Board of Aldermen] gives us needs so we could live well. (Fourth grade girl)

In a few cases children went so far as to perceive political authority as a direct source of economic support:

The Mayor pays working people like banks. (Fifth grade boy)

[The Mayor] sees that schools have what they need and stores and other places too. (Fifth grade girl)

[The Mayor] helps everyone to have nice homes and jobs. (Fourth grade boy)

C. *Normative role.* In addition, some children characterized political leaders in positive normative terms—either as people who "do good things," or as people who are specialists in making moral judgments:

[The President does] good work. (Sixth grade boy)

[The Mayor] sends men to build parks for us and make our city be a good one. (Fourth grade girl)

[The President] makes peace with every country but bad. (Fifth grade boy)

[The Mayor] talks business to all the people and says what's wrong or bad. (Fourth grade girl)

I think that he [the President] has the right to stop bad things before they start. (Fifth grade girl)

The frequency of "child-related" references to the Mayor, and of generally "benevolent" and "normative" references to the Mayor and President is shown in Table IV. Here we see that statements of this sort were made by some children at every age level, but that benevolent imagery declines with age. Although the total of these classes of images rarely exceeds 15 percent in any cell of Table IV, what is remarkable is that any images of this sort are expressed in answer to such bland, unstructured stimulus questions. Moreover, there were additional descriptions of political leaders with favorable connotations which do not fit as readily into a few simple categories. For example, some children placed emphasis on the wisdom, capability, and solicitousness of public officials:

[The President] is in charge of the United States and has many wise men to tell him what is best. (Sixth grade boy)

[The President] worries about all the problems of all the 48 states. Takes care of threatening wars by holding peace conferences. (Seventh grade boy)

[The Mayor] has to keep track of everything that happens in New Haven. (Sixth grade boy)

The spontaneous appearance of these images suggests that appropriately structured questions would show the imagery of benevolence to be considerably more common among grade school children than Table IV indicates.[14]

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[14] Another class of political imagery is worth noting. A small percentage of the respondents (but some in each of the four schools which make up the sample) coped with the problem of organizing their fragmentary political information by using hierarchical concepts. They saw politics, even in the case of individuals and institutions which are formally co-ordinate, in terms of a chain of command. For example:

The Mayor gets orders from the President . . . The President gives orders to the Governor. (Fifth grade girl)

[The Mayor] handles the minor problems and if it is too big he goes to the Governor. (Seventh grade boy)

[The Mayor] takes the problems of the town. He [the Governor] takes the hard problems. (Fifth grade boy)

One notably ingenious misconception combined hierarchy with benevolence. The fifth grade boy whose statement that "The Mayor pays working people like banks" was cited above went on to say, "The Governor pays Mayors. . . . The President pays the governor." Again the appropriate instrument might reveal that this way of perceiving politics is reasonably common in childhood and, perhaps, that it is related to certain types of nonpolitical—*e.g.*, primary group—experiences. See footnote 21, below.

TABLE IV. CHILDREN'S IMAGES OF THE MAYOR AND PRESIDENT, BY SCHOOL YEAR*

	School Year				
	4th	5th	6th	7th	8th
The Mayor					
Child related duties: "makes parks and swings"	15%	14%	1%	11%	15%
Benevolence: "helps us" "gives us freedom"	20	16	9	3	4
Normative role: "does good things" "tells what is right or wrong"	7	12	13	8	12
Number of Cases	55	82	98	115	151
The President					
Benevolence	26%	11%	5%	5%	4%
Normative	5	9	11	3	7
Number of Cases	62	80	95	112	160

* Percentages are based on those children who were able to produce a description of the executive role, whether or not the description was "reasonably accurate" (excluding grossly inaccurate or vague statements). The coding is described in Greenstein, *op. cit.*

The New Haven findings may be summarized as follows: children are at least as likely as adults to perceive high political roles as being important; they seem to be more sympathetic to individual political leaders (and, in general, to politics) than are adults; in at least some cases their actual images of political leaders are qualitatively different from the images one would expect adults to hold, especially in the emphasis on benignancy; and, most important, the widespread adult political cynicism and distrust does not seem to have developed by eighth grade (age 13). Each of these observations rests on a limited sample of respondents, and several are based on fortuitous findings, or comparisons which can only be made tentatively. They are internally consistent and seem to be convincing, but further verification (using more varied and refined techniques) clearly is necessary. However, in this discussion which follows I shall for the moment assume their validity and consider their potential significance.

III. THE CHILD'S VIEW OF POLITICAL AUTHORITY: ITS SIGNIFICANCE

Two questions are raised by the foregoing data: (1) Why is the child's early view of political authority so strikingly favorable? (2) What, if any, effect does this aspect of an individual's development have on his adult political behavior?

Fully convincing answers to these questions, particularly the second, are not available. This is so not only because the New Haven data are limited, but also because the existing body of generalizations linking childhood experience to adult behavior is quite rudimentary.[15] Speculative answers, however, are a necessary first step to designing research which will extend our understanding of the dynamics of citizens' orientations toward political leaders.

(1) Although many lasting political orientations are acquired before adolescence—for instance, attitudes about the importance of major governmental roles and identifications with parties—early political learning seems to be quite casual. Young children, including the nine- and ten-year-olds who make up the youngest groups in this sample, have few interests beyond the environment of their immediate circle. And in New Haven there seemed to be little formal adult effort to shape the political information and attitudes of grade school children. Social studies curriculum guides, for example, do not suggest teaching until the sixth grade the subject matter which once was known as civics. Only in eighth grade is there mandatory provision for such training.

Nevertheless, political learning progresses during the preadolescent years (Table II). This learning has many sources. The most important of them—at least as a determinant of attitudes—undoubtedly is the family.[16] Here (though I have no data based on direct observation) much of the learning probably is inadvertent and incidental to normal family activities. Similarly, inadvertent learning surely takes place in the schools, even in the absence of ormal requirements for civic instruction, if only through politically related experiences such as patriotic observances. Among other sources of political learning, the mass media seem to be extremely important, especially durng election campaigns.[17]

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[15] For a useful summary of this literature, see Irvin L. Child, "Socialization," in Gardner Lindzey, *Handbook of Social Psychology* (Cambridge, 1954), pp. 655–92. Also Alex Inkeles and Daniel J. Levinson, "National Character: the Study of Modal Personality and Sociocultural Systems," *ibid.*, especially pp. 997–98.

[16] *Cf.* Hyman, *op. cit.*, ch. 4.

One antecedent of the highly idealized childhood political images may be whatever political communications are intentionally transmitted to children by their agents of socialization. Even parents and teachers who are personally vehement in their castigation of "politicians" may soften or sugar-coat the political explanations they pass on to children. However, it is ikely that the socializing agents pass on something considerably more important than specific political attitudes—namely, general orientations toward the adult world. The child, through the entirety of his experiences with adults, acquires a frame of reference within which to place an especially important class of adult—the political leaders.[18] This seems to be the best way to explain the remarkable lack of political cynicism among children. Children certainly cannot be completely insulated from adult attitudes of distrust toward politics. Rather, it may be hypothesized that, having learned to see adults as many times life size, children simply misperceive and otherwise screen out the discordant negative elements in the adult political environment.

Psychoanalytic theory suggests an integral connection between the feelings one develops toward figures in the primary environment (such as parents) and one's later responses to individuals in the secondary environment (such as politicians). The latter relationships become invested with deep personal feelings, sometimes in the form of direct reflections of primary group relationships, sometimes in the form of compensating reactions to them.[19] This notion is now quite familiar and in fact has been thoroughly vulgarized in the form of popular journalistic references to political "father figures." Vulgarizations notwithstanding, it may have considerable empirical substance. At any rate, a degree of clinical evidence supporting the hypothesis has accumulated.[20] That young children's descriptions of political leaders reflect imagery of benevolence, protectiveness, exceptional sagacity, etc., also is consistent with this hypothesis, although this is scarcely "proof" that an unconscious linking of primary and secondary figures has taken place.[21]

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[17] *Cf.* Greenstein, *op. cit.*, pp. 55–74.

[18] Contemporary children's literature, which presents a painfully benevolent portrayal of the wider environment, would tend to reinforce such a frame of reference. Books such as *Our Friend the Farmer* and *How the Policeman Helps Us* are couched in language which closely resembles some of the pre-adolescent descriptions of political leaders reported above.

[19] This thesis is advanced in Harold D. Lasswell, *Power and Personality* (New York, 1948), pp. 156–57. Also see C. W. Wahl, "The Relation Between Primary and Secondary Identifications," in Eugene Burdick and Arthur J. Brodbeck, *American Voting Behavior* (Glencoe, 1959), pp. 262–80.

[20] Sebastian DeGrazia, "A Note on the Psychological Position of the Chief Executive," *Psychiatry*, Vol. 8 (1945), pp. 267–72; W. R. D. Fairbairn, *An Object Relations Theory of Personality* (New York, 1954), pp. 223–29; Franz Alexander, "Emotional Factors in Voting Behavior," in Burdick and Brodbeck, *op. cit.*, pp. 300–307; Richard E. Renneker, "Some Psychodynamic Aspects of Voting Behavior," *ibid.*, pp. 399–413.

[21] The hierarchical imagery reported in footnote 14 provides an illustration of the types of linkage which may take place. In each instance the child clearly has meager factual information about the roles he is attempting to describe. His allusion to a chain of command seems to result from an attempt to organize what fragmentary information he has. This may be seen in further detail in a follow-up interview with a sixth grade boy who had responded hierarchically on his questionnaire:

Interviewer: What sorts of things does Mayor Lee do?
Larry: Well, he keeps the city together and tells them what to do.
I: Tells who what to do?
L: Well, let's see. He probably tells some of the most important people and then they tell the ones that are less important and they keep on going.
I: What kinds of people are these? Do you mean *any* people in the city?
L: No, like the police chief and the head of the schools or something.

. . . .

I: What do you think the Governor does?
L: Well, he probably tells the mayors what to do and he probably tells other people what to do.
I: When you say "probably," does that mean you're sort of guessing about what he does?
L: Yes . . . He has to tell *somebody* what to do.

. . . .

I: President Eisenhower, what does he do?
L: He probably tells the governors what to do.
I: Can you think of any other things that he might do?
L: He probably tells the people that are going to foreign countries to present a thing or something he wants that if they might be interested in. (*sic*)
I: What kind of a thing do you mean?
L: Well, like a peace treaty or something.

That Larry turns "automatically" to hierarchy

As we have seen, the child's glowing political imagery shows signs of attrition (mainly in the use of "benevolent" language), during the five-year span of this sample. But the greatest change away from political euphoria probably is during adolescence. Disillusionment, following increased realistic political understanding, might produce such changes. Another likely cause would be the adolescent's need to assume adult mannerisms, including in some cases an inside dopester's appraisal of politics. Adolescence is, at any rate, a time for felling idols and perceiving the commanding figures of one's adult environment in a more fallible light.

(2) How does knowledge that the political learning sequence is from childhood idealism to adult realism and cynicism add to our understanding of citizens' responses to political authority? To answer this some further remarks on adult orientations to political leaders are necessary.

The cynical imagery of Americans seems to be less functionally relevant to their political behavior than the positive side of their responses—their respect for high political leaders and their frequent willingness to hold individual leaders in great esteem. This is evident not merely from such relatively narrow mechanisms as the *fait accompli* effect and the general willingness to accept the verdict of elections. The oft-proclaimed stability of the American political system—in spite of a remarkably heterogeneous population—suggests more broadly that powerful psychological mechanisms encouraging political obedience are present in the citizenry. These mechanisms may be as important as many of the more familiar historical, political, economic, and social factors which are drawn on to explain the complex phenomenon of political stability.

Psychologists of various schools, ranging from psychoanalysis to learning theory, have argued that "learning which takes place early in life should have especially great influence on lasting personality characteristics."[22] It also may be that political and social orientations which are acquired early will be particularly influential in adult behavior. As we have seen, the more negative attitudes toward political leaders are chronologically late arrivals, whereas the firm impression that leaders are importan people emerges early and almost unconsciousl —years before the child has more than a smattering of factual political information. Thu when the adult is in conflict between his tw inconsistent assessments of political leaders the longest held of these would be most likel to influence his response. In this respect it i worth noting that party identification, whic also is acquired before the age of politica reasoning, is a more important determinant o adult electoral choice than other motivatin variables.[23]

The uniquely positive conceptions and misconceptions of leaders displayed by New Have respondents, statements such as "The Mayo pays working people like banks," certainly ar not important in the conscious political imager of adults. But even here the fact that the once existed may be of some importance i understanding adult political behavior. If th psychoanalytic hypotheses linking politica imagery to the primary group relationship which are vital in molding the personality ar valid, it could follow that some early politica images exercise an unconscious effect on adul choices. To the degree that responses to political authority are deeply rooted in the personality additional predictions might be made. Fo example, clinical experience suggests that i times of personal or community crisis individuals might tend to resume their earlier ways o viewing authority.

IV. RESEARCH PROSPECTS

So far I have attempted to relate two aspects of the way orientations toward political leaders develop, to the likelihood that these orientations will be influential in adult life. I have suggested that if the orientation is learned early, or if it becomes tied to intimate primary group experiences, it should have an especially strong effect on later behavior. To this a single more specific hypothesis about the possibility of regression has been added. Further theorizing and research is necessary to generate more in the way of specific, testable hypotheses. At present the general theories of development which have been spun out by Freud, Piaget, Sullivan, and Erikson, for example, have received only limited empirical verification and are poorly correlated with the empirical norms of development reported by child psychologists and the little which is known about the genesis of political and social orientations.

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as an organizing principle, suggests that his pre-political experiences have taught him to view the world in terms of "telling people what to do." One might hypothesize, for example, that children responding in this way are more likely to come from families in which parental authority follows similar patterns.

[22] Child, *op. cit.*, p. 678.

[23] Angus Campbell and Donald E. Stokes "Partisan Attitudes and the Presidential Vote," Burdick and Brodbeck, *op. cit.*, p. 357.

Theory building and hypothesis elaboration might best proceed in the context of concrete research, since little is known in detail at present about how political behavior develops.[24] The following are some of the *desiderata* of such research:

A. We need to know more about children's political images. The data presented in this paper are no more than a first approximation of how children perceive political authority. Do they differentiate between a wider range of political roles than those presented in the New Haven questionnaire? How do their responses vary over time and space? How prevalent are responses of the sort which arose spontaneously in the present study—imagery of benevolence, for example? New instruments will have to be developed to explore these responses in futher detail.[25]

B. We need information on the types of independent variables which are related to differences in childhood political response. Do images of political leaders vary with the child's personality type? Do they vary with his family structure? In view of the continuing interest of social scientists in a number of disciplines in relationships between personality, culture, and social organization, there should be increasing possibilities for interdisciplinary collaboration.

Broader sampling of demographic groups will furnish insight into additional independent variables. Here the speculations about the political stability of nations earlier in this paper suggest that cross-cultural investigation may be promising. Recent studies of children's responses to (non-political) authority figures by Gladys and Harold Anderson show substantial national differences in such perspectives as the expectation of punishment for a misdemeanor.[26]

C. Most important (and most difficult), we need ways of determining in some more precise manner than has been possible here what effects early orientations have on later political behavior. Here progress will be slowest, but by the same token validated propositions will be most rewarding. To a considerable extent advances will be dependent upon accomplishments in basic socialization research. This is an area of investigation in which experiments are not normally possible and knowledge accumulates somewhat uncertainly on the basis of correlational studies. Again, collaboration with ongoing research in other disciplines is both desirable and possible. For example, there have been many longitudinal projects which followed the same samples of children over varying periods of time.[27] Other procedures short of the longitudinal study also exist for studying socialization.[28]

As inevitably slow as the early stages of such research may be, the long run possibilities are exciting. For, as John Dollard has commented, if "the life of the individual is a single connected whole," it will be necessary, in order to enrich our understanding of adult political existence, "to peer down the long avenue of the individual life to see how the present-day event matured."[29]

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[24] The sequence of development of certain classes of political response in the New Haven sample is summarized in Greenstein, *op. cit.*, ch. 11.

[25] Projective devices of the Thematic Apperception variety are promising techniques. For a novel projective procedure, which has received preliminary application, see John L. Kennedy and Harold D. Lasswell, "A Cross-Cultural Test of Self-Image," *Human Organization*, Vol. 17 (1958), pp. 41–43.

[26] A bibliography of portions of this study which have been published is contained in Harold H. Anderson *et al.*, "Image of the Teacher by Adolescent Children in Four Countries: Germany, England, Mexico, United States," *Journal of Social Psychology*, Vol. 50 (1959), pp. 47–55. The Andersons have kindly made available to me unpublished portions of their data.

[27] For a guide to ongoing research, see the regular reports of the Children's Bureau in the bulletin *Research Relating to Children*. A bibliography of longitudinal studies has been assembled by A. A. Stone and Gloria C. Onque, *Longitudinal Studies of Child Personality: Abstracts with Index* (Cambridge, 1959).

[28] A logical first step would be to extend cross-sectional sampling of various age groups beyond the age-range of the present study. For an interesting attempt to use survey data collected over a period of several years to simulate developmental analysis, see William M. Evan, "Cohort Analysis of Survey Data," *The Public Opinion Quarterly*, Vol. 23 (1959), pp. 63–72.

Lasswell has proposed an ingenious procedure for combining the convenience of cross-sectional research with the merits of studies following the same individuals over time. Harold D. Lasswell, "The Method of Interlapping Observations in the Study of Personality and Culture," *Journal of Abnormal and Social Psychology*, Vol. 32 (1937), pp. 240–45. In addition, the systematic examination of adult recollections, expecially under clinical conditions (see note 21) has barely begun.

[29] *Criteria for the Life History* (New Haven, 1935), p. 27.

PRESSURE GROUP THEORY: ITS METHODOLOGICAL RANGE*

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> *How barren a thing is Arithmetique! (and yet Arithmetique will tell you, how many single graines of sand, will fill this hollow Vault to the Firmament) How empty a thing is Rhetorique! (and yet Rhetorique will make absent and remote things present to your understanding).*—DONNE

An outstanding advance in one field of human endeavor will often inspire workers in others to try to transfer its conceptions or techniques into their own less successful fields, for obvious reasons. And so political theorists who have long been discontented with the state of politics when compared with that of certain other sciences have, in consequence, sought to advance their field by adopting the ideas or techniques of their scientific contemporaries. The impressive application of physics will probably increase both political tension and the political scientists' interest in methodology.

The last hundred years of political science have seen attempts at the introduction of various *exotica*, Darwinism, Economism, Freudianism, even Statisticism; but what I shall here discuss is the centuries-old attempt to appropriate the success of dynamics or mechanics to politics, an attempt which found its first great exponent in Hobbes but which has been carried on in this century by men like Bentley and Catlin.[1] The success of dynamics, such men seem to have thought, is evidently the result of its method, which they took to be the reduction of phenomena to the primary qualities of matter and motion. We who are interested in politics, accordingly, will do well to copy the method of the successful scientists and reduce all political phenomena to similar primary entities. Just as Newtonian physicists speak of material bodies or particles, and the forces they exert upon each other, so we must confine ourselves to the description of the motions of atomic political bodies and the forces they exert upon each other. Thus we need only speak with Hobbes of men and their desires, or with Catlin of political men and their wills, or with Bentley of groups and their pressures, in order to succeed. We know that, in the early chapters of *Leviathan*, Hobbes announced this as his programme; but it is doubtful whether, as he moved from methodology to political theory, he did as he said he would do and whether he had not worked out his political theory before he "deduced" it from his primary entities of matter and motion. In what follows I shall try to show a similar history in the work of A. F. Bentley and D. B. Truman. I shall try to show that Bentley announced a methodological programme and that Truman's "development" of it has been quite external and could, in fact, have been undertaken without any reference to Bentley at all. I shall try to show, that is, that Bentley's contribution to political science has been of a psychological rather than a logical kind, and that the references made to him by contemporary pressure group theorists are similar to those which a Russian physicist might make to dialectical materialism.

I. ARITHMETIQUE

1. Politics as physics: general statement. Unlike Catlin, Bentley does not say, in *The Process of Government*, that the study of politics should begin with a study of classical or Newtonian physicists, but I think that that is what he really had in mind, and that we can find very close parallels in Bentley to the physicists' conceptions of "body," "force," "equilibrium," "laws of motion," "system," and "epiphenomena" or "secondary qualities."

Taking dynamics to be the science of forces exerted by bodies on bodies, we may recall Bentley's view that the political process is adequately conceived as groups of men interacting or pressing against each other. "The whole social life in all its phases can be stated in such groups of active men, indeed must be stated in that way if a useful analysis is to be had."[2] But, just as it was impossible, in classical mechanics, to imagine either of the underlying conceptions of "force" or "matter" without the other, because matter demonstrates its existence as a source of force by its action on other matter, so Bentley makes it quite clear that groups and their pressures are as closely associated in his theory.[3] His Newtonianism is further noticeable in his remark that "once given an organization of the interests, held in position by effective groups, and with no clashes with changing group interests, then that organization may persist indefinitely. There is no reason why it should not be continued—which is just another way of saying that there is no interest group in action powerful enough to alter it" (p. 266)—a statement pretty well equivalent, in its way, to Newton's first two laws of motion.[4]

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* A paper delivered to a conference of the Australian Political Studies Association in Canberra, January 1960.

[1] There is a sense of "dynamic" or "mechanistic" in which *all* sciences are, or aspire to be, mechanistic. But in this paper I have tried to confine my use of these two terms to the narrower (if vague) equivalent of "like Newtonian mechanics."

[2] *Process of Government*, reissue (Bloomington, Ind., 1949), p. 204. Unless otherwise indicated, further references to Bentley are to this book and to this edition of it.

Another similarity between Bentley's political methodology and classical mechanics lies in his treatment of society as a whole. The classical physicists regarded the energy of a given system in two ways, either from without the system, or from within. When they spoke of the total energy of a system, they regarded it from the outside. The total energy of a thermal system, for example, is the work which would be done by the heat in passing from the system to its environment. Such a system, in mechanics, was seen as a group of bodies moving about one another in space under some particular dynamical law, such as the law of gravitation; and this is virtually Bentley's conception of society as a whole: "Now, as the points I have just reiterated imply, the activities are all knit together in a system, and indeed only get their appearance of individuality by being abstracted from the system; they brace each other up, hold each other together, move forward by their interactions, and in general are in a state of continuous pressure upon one another" (p. 218).

But, since "activity," "interest," and "pressure" are synonymous in this sort of context for Bentley (pp. 271, 443–4), and since nothing but a group can have an interest, it follows that there *cannot* be such a thing as a "social interest," unless the society is regarded as itself a group in a larger "society." Just as we could only speak of the "total energy" of a thermal system or the "total force" of a system of physical bodies, if we assumed that those systems were themselves members of a wider system, if they had an environment with which they interacted, so we can only speak in politics of "the interest of society" if we assume that that society is interacting with (say) another society to form a single system which itself is a (super-) society. And this is precisely what Bentley says (pp. 220, 221, 422). He is very confused in his presentation of this, and some of his interpreters, both proponent and opponent, have thought that he was only saying that, as a matter of empirical fact, we never observe any interest common to any society as a whole. He does indeed say that; but intertwined with this empirical doctrine there is a logical or methodological doctrine, namely, that if we *define* "interest" as something possessed only by a group, and *define* a group as an element in a social system, then to speak of a society as having an interest is to imply that that society is an element in a (wider) social system. This is true, and it may be useful, but it is quite independent of "experience" and should not be confused with what we observe as political scientists.

The last similarity I shall notice between Bentley's theory and that of classical physics is his rejection as "secondary" or "epiphenomenal" of that for which he has no place in his system but which he cannot (and perhaps does not want to) deny. He himself uses neither of these words since he chooses not to draw attention to his appropriation of the ideas of dynamics and emphatically wants to dissociate himself from philosophy; but the idea is there as firmly as ever it was in Newton's "rational mechanics." The "secondary" qualities of the old "natural philosophers" were seemingly physical qualities which were simply left out of account, either as being of no account or as being reducible to quantitative terms in some way yet to be discovered, and they find their counterpart in Bentley's theory in what he calls "spooks," namely, ideas, ideals, feelings, instincts, reasoning, discussion, and so forth. He does not deny that these may have a place in other disciplines such as psychology, or even in a more refined political science; but he insists that for political science in its present state these entities may either be ignored as of no account or taken to be reducible to groups and their pressures in some way yet to be discovered (p. 445).

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[3] P. 258. And compare his statement that "pressure . . . indicates the push and resistance between groups" with, say, S. L. Loney's "Force is that which changes . . . the state of rest or uniform motion of a body." *Treatise on Elementary Dynamics*, 7th ed. (Cambridge University Press, 1908), p. 55.

[4] With Newton's Third Law compare Bentley's two remarks: "No interest group can be estimated at its right force except in terms of the amount of resistance that others will offer to it" (p. 410), and "If the machine hurts enough, the reaction on it will come just in proportion to relative strengths" (p. 418).

If I have rightly understood Bentley's approach, then, we may summarize it as the belief that political science can and should be studied by referring solely to political or social groups (the distinction is not important at this point) and the pressures they exert upon each other. Nothing else but these groups and their pressures should be referred to, and anything else which has a strong claim to recognition by the political scientist can in fact or in principle be reduced to these terms. In the rest of this general statement I shall show how he attempted this reduction with reference to (a) technique, (b) environment, (c) state, society, and government, (d) individual, and (e) reason.

(a) *Technique*. About the middle of the last century certain physicists believed that all the problems of physics could be stated in terms of physical "particles" with their mass and the distance between them, and that the *kind* of forces connecting these particles, be they "electrical" or "magnetic" or "gravitational," would be of no interest in a pure or ideal physics. In a similar way Bentley very often says that what is significant to the political scientist is merely the pressure that one group exerts on another, and that the *kind* of pressure is of no such significance. Such differences of kind he indicates by the word "technique," a word he uses dozens of times.[5] He blows hot and cold on the question of how much recognition the political scientist should accord to technique. Often (*e.g.*, pp. 216–7 and 316–7) he suggests that differences of technique will be recognized by the political scientist, while at others he seems to treat them as epiphenomenal. I am inclined to think that the best reading of him is to take him as saying that differences of technique will not be noticed in a pure political science or that, if they are, they are "directly to be interpreted in terms of changed interest groups" (p. 320), that is, reduced to terms of groups and their pressures, a reading which is consistent with his Newtonian approach. Not how they press, but that they press, would be the significant consideration.[6] Before leaving this question, however, I must emphasize that sometimes he suggests that the political scientist will recognize technique as such, and that I have adopted the present reading only because it seems consistent with my over-all view of Bentley, which I take to be independently established.

(b) *Environment*. There is no doubt about Bentley's reductionist intention in this case, for on p. 193 he asserts that the physical and geographical environment can be "taken up into the statement in terms of activity" (which is to say, the activity of interest groups). He does not want to eliminate the environment from science, but he wants to eliminate it from *political* science except in so far as it can be reduced to groups and their pressures. We shall see later that he treats the individual in the same way, and on p. 461 he brings the two together in the sentence: "In the group we take up the [physical] environment as well as the [biologically individual] men, the group itself being formed in a way that includes both." For a dynamic political science, that is to say, the environment as such does not exist; we have only groups and their pressures.[7]

(c) *State, Society, and Government*. Bentley does not talk much about the state, being more interested in the use of the terms "society," and "government," but one thing that he says confirms my account. "The 'state' itself is," he says, " . . . no factor in our investigation. It is like the 'social whole': we are not interested in it as such, but exclusively in the processes *within* it" (p. 263, my emphasis). He will, that is, consider the political process on the model of a physical system, but he will not (for the most part) consider it in relation to other systems; he will interest himself in the interacting pressures of the groups which constitute the system rather than the pressure of the system as a whole. I have remarked elsewhere on Bentley's confusion when he speaks of society as a whole;[8] what I here suggest is that an important source of that confusion is his failure to distinguish the methodological from the scientific, the formal or logical from the material or factual issues. On page 220, for example, he says that "no such group as the 'social whole' enters into the interpretation" of political scientists, a statement which, if we recall that a group is *defined* as a constituent of a system called "society," seems purely formal; so that when he immediately supports the statement by appealing to observation, by saying that "there are always some parts of the nation to be found arrayed against other parts" (which I take to be a statement of fact and not of form) we may feel lost and confused. In the next and evaluative section of this paper I shall elaborate the criticisms suggested by these remarks; for the moment I shall pass to Bentley's account of government.

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[5] G. E. G. Catlin, in his *Principles of Politics* (Allen & Unwin, London, 1930), p. 78 ff., uses exactly the same conception in the same way, but refers to it as "method."

[6] *Cf.* Catlin's "Not what they will, but that they will is the significant consideration," *op. cit.*, p. 139.

[7] A very similar view is proposed by J. W. N. Watkins, in *Philosophy of Science* (1955), p. 58. The sort of reductionism I am discussing is not peculiar to the mechanistic approach to social science; as May Brodbeck has shown, it is common to those students of what she would call the "incomplete sciences" who attempt a short cut to completeness, or the formulation of a "stochastic equation" with a disturbance component of zero. Such attempts must fail since, as she says, "no individual social science can by itself expect to achieve completeness in its terms." "Methodological Individualisms," *Philosophy of Science* (1958), p. 11. I suspect that what she means by a "complete science" is the same as what I have referred to as the first sense of mechanistic science, above, note 1.

His remarks here are very confusing but, mutually contradictory as they may be, they are all consistent with a mechanistic view of politics based on groups. He distinguishes between three senses of the word "government" which he calls the broad, the narrow, and the intermediate senses; but I shall only be concerned with the narrow sense, the sense, that is, where we can speak of *the* government, where we can (as we might say) pretty accurately indicate "the governing body." Government in this sense is, for him, a group, and what it is doing is holding "the balance between conflicting interests, that . . . is enforcing restraints on their activities in the *political* field . . . " (p. 235, my emphasis). Accepting this, however, we still get three different views of what sort of group the government is, and it is not easy to see which Bentley would finally settle for. First, there is the view that the government is the political tool of the strongest of a set of contending groups, or (what I take to be equivalent) is itself the strongest group in the political field (pp. 237, 281–2, 319). Secondly, there is the rather different view that the government is a group, or the tool of a group, which is distinct from and stronger than any of a set of contending groups, into which set it brings "balance" or "adjustment" without itself being a member of that set (pp. 235, 454). Thirdly there is the view that the government is not a group in either of the above senses at all, but is the *system* of political interactions of contending groups, the government here not producing so much as itself *being* the "balance" or "adjustment," being a "network of activities" (p. 261). This last would allow us to speak of government as a group only in the way in which we could speak of society as a group, that is, as a group or system of other groups, and on page 260 Bentley does take the broad sense of government in this way. For the most part, however, he wavers between the first two. It does not seem worthwhile trying to establish which of the two is dominant (assuming that either could be made coherent), for either will be consistent with the view of Bentley I am recommending.

On any view, however, what the government does is to produce balance or equilibrium or order between interacting groups, and this conception is, again, the sort of thing you would expect in a mechanistic view of political science (not bothering here to distinguish between dynamics and statics). Since the words "balance" and "equilibrium" seem always to have been used (at least in English) as freely without as within the discourse of physics, the mere fact of a political scientist's use of them hardly indicates that he takes a mechanistic view of his subject.[9] But when we find the words used as Bentley uses them, in immediate connection with "pressure," "push," "resistance," and so forth, we may perhaps venture a little further. He says that "pressure, as we shall use it, is always a group phenomenon. It indicates the push and resistance between groups. The balance of the group pressures *is* the existing state of society" (p. 258–9, his emphasis). Since he uses "balance" synonymously with "equilibrium" (and "order"), and defines society as the system of interacting groups, we may imagine that his presentation here has been at least partly modelled on the physicists' conception of equilibrium, of a closed physical system in which the forces within the system are so arranged that their resultant at every point is zero. (See, for example, the quotation on page 945 above, which I likened to Newton's first two Laws.)

(d) *Individual.* If what I have said is true, that he was proposing the adoption of a mechanistic method by political scientists in which the units are groups, then we should expect him to treat individuals in the way that the classical physicist would treat any dubious entities clamoring for attention; that is, he will try either to explain them away, or to fit them into his already established conceptual framework, or simply say that they do not form a part of his study. Bentley does not try to explain the individual away, he does not "ignore the individual"; but he does try to describe the political activities of individuals in his own mechanistic group terms, and he does say that much that people want to say about individuals is unobjectionable but is no part of political science. He belief is that as things stood when he wrote it was a question of which of "the two *methods* of statement," the individualistic or the group method, "is the most useful." And he thinks, with the economists, that it is the latter (p. 246). *For political science*, that is, the individual is a fiction (p. 170), just as color does not exist in the solution of a problem in kinetics, or melody for the physicist working in sound. But this does not mean, he says, that "the physicist would deny color when he studied wave lengths" (p. 166). The question is just whether, in the present condition of our knowledge and techniques, the political scientist will achieve more of his aims by looking at group pressures rather than at individual pressures, and it is a question of fact, to be settled by investigation and comparison. On pages 247–52 Bentley makes such a comparison and concludes that it is more useful to consider groups.

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[8] *A.P.S.A. News*, Department of Government, University of Sydney, 1959, Vol. IV, No. 4, pp. 13–14. In this note I drew attention to Bentley's confusions on pp. 217–222, where he argues both for and against the conception of a "social whole."

[9] See, for example, the quotations in note 20, below.

(e) *Reason*. Reasoning in politics is, for Bentley, a method or technique used in the exercise of pressure, so that we may expect him to advise political scientists to ignore it in just the way that a physicist may, in certain problems, choose to ignore color or density. And so he does: "pressure is broad enough to include all forms of the group influence upon group, from battle and riot to abstract reasoning and sensitive morality" (p. 259). This is not to ignore the pressure maintained by means of reasoning, although it is to ignore the means of reasoning used to maintain pressure. I shall go into this in detail in the next section: all that I want to do here is to indicate how Bentley's treatment of reason can be taken as a substantiation of the view that his was a Newtonian mechanistic political science.

I have now drawn together a number of strands in Bentley's thought to show that what he was desiderating was a dynamic or mechanistic political science of the Newtonian kind; but it is obvious that I have ignored much of what we might call Bentley's material, as opposed to his methodological, thinking. What I have said about his attitude to "the individual" or to "reason," it will be objected, only catches part of his thought; and while what I have said may be true, it is not the whole truth since Bentley was evidently, and in some way not stemming from methodological considerations, "against" the individual and "opposed" to rationality. Such an objection would be entirely justified, but I have tried to emphasize the methodological side of Bentley because I think that it has been rather overlooked by certain objectors,[10] and because, even when his attempt is recognized as being the establishment of a mechanistic politics (as it clearly is by Odegard[11]) it is not seen that this is consistent with his "recognition of" these terms in other fields than politics, that Bentley explicitly said so, and that he gave his reasons for taking a group, as opposed to an individualistic view of the study. But these critics may now be given more attention.

2. Politics as physics: an evaluation. I am not prepared to say that an autonomous political science is in principle impossible,[12] but I think that we can set down certain *sine qua nons* for such a science, and also indicate that Bentley has not supplied them.[13] Assuming that we are to take classical physics as our model, we must first of all get some counterpart to the concept of "body" or "particle." Bentley was aware of this, but I think that he did ill to take the group as that counterpart, precisely because there are, in political fact, pressure groups, the features of the actual groups being imported into the conceptual "group," with an inevitable procrusteanism in consequence. For example, having said that the group is his fundamental unit, and wanting to fit individuals into his system, he is forced to reduce the individual to a group. This almost inevitably produces something approaching a crude conspiracy view of politics, an assumption that there must be a "they," or a "social force" behind everything that any individual does in the political arena. Thus we get the intrusion of factual considerations into what began as a conceptual or methodological device. He first assumes (rightly) that he must stick to one unit, he then assumes (wrongly) that that unit must be something existing in what we may call political Nature, he then says that since you *must* take one of the available natural units and one only, then you'll get the best results by taking the group; finally, having committed himself to the "group" as a unit, but finding that he must accommodate political entities such as individuals, states, and so forth, in his theory, he gets enmeshed in quite extraordinary tangles by trying to show how in actual fact the individual is in some way not merely an individual, and that we must "look upon the [group] process as proceeding through him." This not only leads to regrettable statements such as "President Roosevelt" *means* "a certain number of millions of Americans" (p. 322), but almost inevitably pulls Bentley towards a Marxist type of doctrine of objective forces and the like, so that, no matter what anybody does, the group process marches on, "group interests" playing the role of Engels' "economic factors" (see, for example, pp. 389–90). I do not think, however, that this is the outcome of the mechanistic view alone, but rather that it stems from taking a real political factor and making it do the work of a conceptual factor; that it stems from beginning with a conceptual entity called a "group" and then, when saying that in politics only "groups" are admissible, thinking that one is referring to actual groups. But, since it is quite obvious that in fact individuals participate in politics, there results an attempt to "interpret" the empirical facts of political life, an "interpretation" which is in fact a distortion.

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[10] See R. M. MacIver, *The Web of Government* (N. Y., 1947), p. 56, and Avery Leiserson, *Administrative Regulation* (Chicago: University of Chicago Press, 1942), p. 54.

[11] See *Western Political Quarterly*, 1958, pp. 699–70.

[12] I should perhaps here speak of a *relatively* autonomous political science, because of the presence of such exogenous variables as the psychological, economic, geographical, meteorological, etc., all of which influence the interactions of political bodies. But the problem is beyond the scope of this paper. See section 1 (b), above, and note.

[13] In addition to the two deficiencies I shall remark, we may also notice those of "closure" and "completeness" mentioned by Brodbeck, *op. cit.*, pp. 9 ff. As she puts it, "nothing that happens at any other time or place than those being considered affects the properties with which the theory is concerned." Bentley's reductionism may be seen as an attempt to legislate all exogenous variables out of existence or into endogenous variables.

Yet another failure of Bentley's "group" to meet the demands of mechanism lies in the difficulty of identifying a group, as that term is used by him. When, in the dynamics of a two particle system, we speak of one body's attraction by another, we do not concern ourselves about bodies within the attracted body which reinforce or oppose the attraction. But Bentley (and, even more, Truman) has constantly to deal with the problem of "cohesion," so that it is hard to know whether, "for political science," the Republican Party is a group or a system of groups. And then, of course, within any group we find recalcitrant *individuals*.

Much of this trouble, I have suggested, stems from importing certain features of a real entity into a conceptual entity, and could be avoided if the mechanist were to begin with something avowedly conceptual, say a "polbod," which he might define as "*any* political entity (whether group or class or individual) which exerts a sway on another political body" (defining "sway" as "the action which one polbod exerts on another"). Starting thus with conceptual entities, he would be the less likely to muddle fact with logic in the Bentleyan way, and should pretty quickly test the worth of the mechanistic approach.

But if his use of the term "group" is unsound, it is not as glaringly so as his conception of "pressure." As Catlin has remarked,[14] the supreme difficulty in mechanistic politics lies in *measuring*. All talk of polbods, groups, political men, sway, pressure, will, and so forth, will be very imprecise indeed (and therefore far removed from physics), unless the entities can be enumerated and their relations measured. But Bentley does not indicate *how* we should measure pressure: he only says that we should. (Although, in the Appendix to *The Process of Government*, he seems to think that the vote will be an ingredient of such a measure, the position is not elaborated.) Catlin proposed the vote as a good measuring unit (*op. cit.*, p. 259–62), a view which he repeated in his *Principles of Politics* without ever adding one to one; and his hedging provisos show how useless as such a measure the vote is.

What is objectionable about Bentley's *Process of Government*, then, is his persistent confusion of the formal with the material, and I think it is this that is (at least in part) the source of most of the objections that have in fact been raised against the theory. This may be illustrated by MacIver's remark that "they denied or rejected the integrating function of the state"; and Odegard's remark that they "have all but banished reason, knowledge, and intelligence from the governmental process" (*loc. cit.*).

With MacIver's remark compare Bentley's statement that "the term state indicates a great complex of closely coinciding activities, which hold together, and get enough representative process for stability. The state is fundamental not as a mystic being but only in the sense of this stability, this durational extent, this relative permanence."[15] What could possibly have led MacIver to make the statement that he did? Bentley certainly said that the groups existed in a social whole; he said that the social whole provided a background of habit, or rules of the game, in accordance with which the groups in fact operated; he said that there was a permanent tendency to order or equilibrium *between* the groups and (therefore) *of* the whole; what did he say to provoke MacIver's censure?

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[14] *The Science and Method of Politics* (N. Y., 1927), p. 251.

The answer[16] lies not in Bentley's methodology, but in his obvious belief that, as a matter of fact, not all the constituent groups in a society have the same ends. It is his penchant for such remarks as "murders answer to existing interests," with the inference "hence no interest of society as a whole," that caught MacIver's eye. Bentley seems to have believed that he observed that some groups in a society were in *nothing but* opposition to each other, a belief which he expressed pugnaciously and often; and he confused this with the methodological advice that political scientists should not regard society or the "state" as something "over and above" the one thing he thought they could handle (groups) but as the whole system of groups in interaction. Excluding international relations, then, "the state" or "society" cannot be an object of study, any more than the whole material universe (assuming it to be limited) could be an object of study for a physicist. MacIver's accusation carries no weight at all against the purely methodological recommendations, and it is simply not true that Bentley's pressure group theory, conceived as such a methodology, denies the integrating function of the state, whatever Bentley himself may sometimes have thought.

Odegard's criticisms are the more remarkable for his clear recognition of the mechanistic aspirations of Bentley. Yet, he objects,

> the group theorists, in their quite reasonable rejection of rationality as the sole or major factor in political decision-making have all but banished rationality from the governmental process. . . . Anyone familiar with the decision-making process knows that pressure, force, intimidation, self-interest, and, heaven knows, group interests, account for no small fraction of the decisions that are made. But they do not account for them all. Reason and logic are by no means strangers to the decision-making process. Not infrequently decisions both on policy and administration are made not under pressure of rival group interests but in the light of reason and on the *weight* of the best available evidence . . . (*loc. cit.*, my emphasis).

Since the last clause of Odegard's own remarks here illustrates the ease with which very ancient and common usage adjusts itself to Bentley's explicit characterization of reason as a technique or method of pressure, it would hardly be enough to show him "forceful arguments" or "pressing reasons"; surely, we are driven to believe, there is *some* explanation of his oversight of Bentley's repeated remarks.

Bentley's philosophical nominalism or conventionalism is at once too complicated and naive to discuss here, but we may notice two features of his attitude to reason in politics. The first is that he does erupt, and frequently, into a cynicism expressed in such terms as "mere reason," a cynicism which suggests that he believed that "thought" and "reasoning" come into the political process very little or not at all. We do not, that is, find him speaking of "mere corruption" or "mere violence" quite as often as he speaks of "mere reason." But he does speak disparagingly of techniques other than reason; on page 442, for example, he puts corruption, sophistry, and violence on a methodological level with reason. And this reductionist attitude to reason (a direct outcome of his methodology), I think, somewhat justifies Odegard's complaint. But I should want to go further, and make it the basis of a general criticism of any mechanistic political science, and not merely of Bentley's.

Let us suppose that some genius were successfully to construct a purely mechanistic political science, a science in which we spoke of nothing but (say) polbods and the (measured) relations between them. What would be objectionable about such an *Arithmetique* would be, I think, that it would be too abstract, that it would eliminate a tremendous amount of what interests us in politics. We are interested in grey mechanistic theory, but we are also interested in the green tree of political life. We are interested, that is, not merely in the fact *that* A affects B, but also in *how* A affects B; not merely in saying that the party came to power, but also in how it came to power. We are *very* interested in technique. Should the mechanistic dream be realized we should find in it deficiencies very similar, I think, to those now shown by formalistic or legalistic "theories of the state" or of society. Merely to classify governments as monarchies, aristocracies, and democracies is, as we all know, to omit a tremendous amount of what is politically interesting. We want to know whether group A has affected group B by argument or trickery or physical force, whether it acted as a group or through the medium of an individual, or a small committee, and so forth. All this interests us, but it is all (I suggest) precluded by a good mechanistic approach, an approach which cannot accommodate the colors, harmonies, and discords of political life. I do not say that a dynamics of politics, were it achieved, would *not* be of tremendous value and interest; but I do say that it would leave a lot of our aims in the study of politics completely unrealized. And my main objection to Bentley is his repeated assertion and implication that political science and political dynamics are equivalent, and that we *ought* to abstract from our political experience *nothing but* groups and their relating pressures and state our entire political science in these terms *alone*, and that when we have done that we have done all.[17]

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[15] Although the quotation is from his *Relativity in Man and Society* (Putnam's, N. Y., 1926), p. 119–20, it is quite consistent with *The Process of Government*. Bentley's eccentric attachment to physics is, of course, self-evident in his later book.

[16] See the *Encyclopaedia of the Social Sciences*, VIII, p. 145.

3. Conclusions. If, embedded in Bentley's *Process of Government,* there is a demand that political scientists use no other methods than those which will yield them a dynamics of politics, and if what I have suggested about the limitations of a successful political dynamics is true, then we should not be surprised to find Bentley himself deviating from his own recommendations, nor should we be surprised to find the strength of subsequent "pressure group theory" to be quite independent of Bentley's methodology. Bentley's own reduction of such factors as environment, state, society, government, individual, and technique (including reason) were not too consistent: indeed, in the case of technique it was very half-hearted. But it is in the Appendix to his book, where he offers a sample of mechanistic political science, that we see how very far from his model he has drifted. When we consider that the features of a good mechanical system—its closure and completeness, the definitude of its elements and the commensurability of the relations between them—allow us to predict the behavior of one element from our knowledge of all the other elements, we see that Bentley's achievements in his Appendix are, by the standard he himself has suggested, quite laughable. In the following section I shall try to show that D. B. Truman's *Governmental Process* shows even wider deviations from Bentley's methodological ideal. I shall try to show, that is, the change from a pressure group *methodology* into the vague common sense of a pressure group *theory*, the abandonment of *Arithmetique* for *Rhetorique.*

II. RHETORIQUE

Although Bentley spoke much of "political science" and not at all (as I remember) of "methodology" or its equivalent, he undoubtedly regarded himself as a methodologist and not as a political scientist—as attempting to "fashion a tool" rather than to use one (pp. 209, 263, 330, 434). When, therefore, we are told on the blurb of Truman's *Governmental Process*[18] that he is "elaborating on and extending Arthur F. Bentley's pioneer work" we might expect him to be doing one of two things: either, we might think, he will accept Bentley's methodology and proceed to a scientific investigation of politics, using the mechanistic method, or else he will offer us a more elaborate and worked out account of the mechanistic method itself. It is immediately obvious that Truman does not attempt the second of these programs, that he is not (except incidentally) a methodologist; but neither does it seem that he is attempting the alternative program, for he is not (by a long chalk) rigorously applying a mechanistic method. What, then, is his avowed debt to Bentley? It is, I suggest, little more than a realization that interest groups are "very important" in the political process and that a lot of attention should be given them. His debt is more to the gobbets of political science to be found here and there in Bentley than to anything else; it is what I have called psychological rather than logical. But, although he does not seriously try either to use or to sharpen Bentley's tool, I do not think that he himself is clearly aware of that fact. On the contrary, he seems to think of himself as carrying on the central instead of the merely peripheral ideas in Bentley. I shall now try to show that that is not so.

Assuming that he regards himself as a political scientist rather than as a methodologist, as using (rather than improving) Bentley's method, can we also assume that Truman would recognize the account of Bentley's methodology that I have given? I think we might, in view of his denunciation of the "Robinson Crusoe hypothesis that men are best conceived of as isolated units" (p. 14); or his belief that groups, with their "dynamics, their interconnections, and their relative strength" are, or will soon be, the "primary data" of the social scientist; or his statement that he is attempting an "interpretation" of politics "in terms of group patterns" (p. 47), and so on. Yet there are interesting divergences from Bentley; for Bentley asked us to talk about groups in a way that enables us to understand politics, while Truman wants to talk about politics in a way that enables us to understand groups (pp. 13, 47, 49). Bentley, we might say, was interested in a group theory of politics where Truman is interested in a political theory of groups. Here it begins to look as though all Truman wants is to give us a picture of (American) political life in which the role of interest groups and their pressures is emphasized; here he does not begin by saying that we can experience *nothing but* such groups when engaged in political science. But this has nothing at all to do with what I have taken to be Bentley's methodology and is, in fact, entirely consistent with the individualism of Catlin, or of Brodbeck, or of Watkins. I have said that, in his Appendix on political science, Bentley does not really apply his method. I now wish to show the same for Truman. I shall, that is, ignore what Truman says he will do in favor of seeing what he actually does. I shall take a piece of political science from his book and ask whether it does in fact exemplify the Bentleyan method I have sketched above.

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[17] "If psychological concepts are never used, we should have only the physics of human nature, not its psychology. Without psychological categories we could no more assert anything about what people are thinking or doing than we could assert anything about the temperature of a gas if we used only mechanical concepts." M. Brodbeck in *Philosophy of Science,* 1954, p. 149.

[18] (N. Y., 1953); unless otherwise indicated, all references to Truman are to this book.

His chapter on "Interest Groups and the Judiciary" will serve to illustrate his general approach to political science.[19] Briefly, his statement comes down to this: that, since the judiciary has discretion in its interpretation of statutes and in ruling on the constitutionality of legislative or executive acts, it participates in the process of politics, for the decisions taken on such matters are not simply the "automatic result of technical legal procedures and constitutional knowledge." But this, although it may take us beyond the allegedly simple layman and the scholastic jurisprudentialist, hardly takes us very far; it needs no great theoretical apparatus to tell us so little. What groups, then, are influencing the judiciary? This is a matter of historical fact, and Truman names several: labor groups, party factions, the Hygrade Food Products Corporation, elements of the judiciary itself, and so forth. How, he also asks, do these groups exercise their influence? Through the ballot (where judges are elected); through "bar associations and other organized and potential interest groups" threatening denunciation, ostracism, reputation, impeachment, etc.; through selection and appointment of judges; and through open or concealed appearance as litigants. It is all very interesting and (so far as I know) true, but it in no way depends on *Arithmetique*, on the mechanistic method recommended by Bentley, despite its occasional references to "dynamics." It would all be quite familiar to, say, Hallam (who equally spoke of "faction," "party," "landed aristocracy," "merchants," and so forth); but it no more presumes a mechanistic method than does Hallam's reference to the Whigs and Tories as bearing "some analogy to the two forces which retain the planetary bodies in their orbits."[20] Truman's references to "dynamics," "interactions," "influence" (his equivalent to Bentley's "pressure") and so on, are of no methodological significance at all; they are either the stock and ancient terms of political and social talk, or else they are *Rhetorique*, mannered and fashionable bits of jargon designed (albeit unconsciously) to give his work the appearance of a type of force and precision that it does not in fact have.

This is not to say that Truman's work is not in every way excellent, that he does not make many hitherto "absent and remote things" present to our understanding. He gives what I understand to be a very good general introduction to the too neglected role of organized groups in American political life; but this is to speak of the *matter* of his investigation, not its *method*. And, indeed, his method is just what you can find in almost any historian of the last hundred years. His work, if it is a development of Bentley at all, is a development not of the body of the *Process of Government*, but of its appendix. In one respect, in fact, Truman deviates widely from Bentley's methodology; and that is in his interest in technique. To ask *how* the influential groups exert their influence on the judiciary is not, I think, in accordance with the methodology we have been discussing;

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[19] The only reason for selecting this chapter is that it is shorter than those on the legislature or administration; but what I say of it applies equally to them.

[20] *Constitutional History of England* (1827), ch. XVI; and compare R. G. Menzies's remark that "I know next door to nothing about science. True, I recall that the first law of physics is that 'action and reaction are equal and opposite,' but this is so true of politics that its scientific origin has become dulled in my mind." University of Sydney *Gazette*, Nov., 1959.

and the fact that Truman does ask this question and answers it in an illuminating and interesting way shows that he is far too interested in politics to be content with a grey mechanics.

Bentley's service to Truman, if I am not mistaken, is much like that of Marx to the average historian. The economic is the only factor, announced Marx; and the sensible historian realized that the economic factor needed more attention than it had hitherto received. Politics is explicable only in terms of groups, announced Bentley; and Truman and others sensibly realize that groups are important in politics and have been neglected. One wonders what all the excitement has been about, and why some people persist in keeping it up.

The answer to this last question lies only partly, I suspect, in the desire to give an incomplete science an appearance of the force and precision of a complete science. It also lies in the failure of Truman and his likes to assess their own work at its true (and great) value. They really do believe, I think, that Bentley has given them a clue which, if followed, will lead them to put "the Newton of this subject in his seat." They would, I suspect, repudiate my denial of any connection between their work and Bentley's methodology, even if not as indignantly as a politically orthodox and naive Russian physicist might react to the statement that what he does owes nothing at all to dialectical materialism. We can see in Truman, that is, over and above his observations about the place of groups and their pressures in the matter that comes to the political scientist, a faith in something called "the group interpretation of politics." This faith has had an influence on his political science which has been, if I am not mistaken, almost wholly evil.

This is most clearly seen on pages 47–8, where he seeks to defend "the interpretation of politics in terms of group patterns" against the charge that it "inevitably 'leaves something out' or 'destroys something essential' about the processes of 'our' government." What is in question, as of old, is the individual and society or the state, and Truman here does launch into a bit of very naive methodology. While he does not see that the *merit* of a "group interpretation" of politics (meaning by that a Bentleyan methodology) would, if it were worked out, be precisely that it does "leave something out," it is to his credit that he does not pursue his reflections about "the individual." It is the more regrettable, therefore, that he has allowed himself to get fearfully entangled with the other entity, "society."

III. GROUP INTERESTS AND COMMON INTEREST

Bentley's remarks about the "social whole" turn on the existence of a "common interest" in society as a whole. If we eliminate his confusion of the logical with the empirical, we are left with a view which by definition entails the rejection of a common interest, if "interest" is equated with "pressure of a group which is a component of society" *and* if "society" is itself never a group. Whether such a view entails also the rejection of the "classical" conceptions of the common interest I shall not here inquire, but simply sketch one conception of the common interest which is consistent with Bentley's methodology (which does entail a common interest, as he defines "interest" and "society," in the theory of international relations). Assuming that groups do have interests, or aims, and that the pressure of a group will tend to realize its aim, nevertheless—despite the appearance of a mutual incompatibility between these aims—they are very often (perhaps always) parts of wider and more generalized goals, other parts of which are not merely compatible, but actually identical.

If, for example, we consider two parties contesting an election in a democratic community as constituting a system of two groups, then we see that they campaign in accordance with what Bentley and Truman call the "habit background" or "rules of the game" and that, though they each press to realize their interest at the expense of the other, they do not press to do so *at any cost.*[21] If, that is, the declared interest were establishable by means ruled out, those means will not *really* establish the interest at all. Our definition of the "interest," in other words, was inadequate, and needs to be widened to include the rules of the game or the preservation of "equilibrum"; the parties' interests were not merely to secure a majority, but to secure it by democratic methods, methods accepted by both. Since, however, this common interest does not *distinguish* the groups from each other, does not further an analysis of the internal situation once it has been generally outlined, we neglect it in our account of the motivating interests of the groups. For what makes them different is their different interests, and their acceptance of a common interest or common good is not worth remarking until it is denied. Such a common interest in the preservation of equilibrium, however, is not the interest of some "absent" or "potential" group; rather it is common to the interacting groups themselves, even though the interest may sometimes be *felt* as a positive restriction and shortsightedly thought not to be in the group's interest at all. But this mistaken belief fails to consider the group's interests as a whole and in the long run. It abstracts the interest peculiar to the group from that which it shares with others and sets up the abstracted interest as the whole and sole interest in this situation.

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[21] "The war in fact is not to the finish, the socialism that extends itself to large portions of the population . . . ends in political compromise." Bentley, p. 208; and *cf.* Truman, p. 504.

These last remarks seem to express a position very like Truman's own recent statement that

> I would be willing to go one step beyond the somewhat confining model of utility in contemporary welfare economics to the extent of arguing that the public interest can have an inclusive and reasonably objective meaning if it is defined in terms of the functional prerequisites of a social system. . . . As I think the closing chapter of my book makes clear, and as Bentley himself indicated implicitly, the stake in a system can be equated with the public interest even if that stake is *not consciously acknowledged or unanimously agreed to*.[22]

All this is consistent with Bentley, for if he will speak of "society as a whole," then we can speak of the interest of that society, while if he refuses to speak of anything but groups, then we can speak of interests common to each of a set of groups. But is it consistent with a Trumanian pressure group theory? If this "theory" is merely the assertion that in studying politics we must or may consider the activities of groups without always reducing them to component individual activities, then my doctrine of a common interest is quite consistent with it.

But Truman, like Bentley, writes as though there were only one game with only one set of rules; he concentrates on "society" or "the state" and neglects the rules of the game of lesser associations based on tangential relations between groups. It would be better, I suggest, to consider the habit background not of Bentley's "social life" but of what I may call "associational life," and to see that there are as many sets of rules as there are associations (where "association" means a set of interacting groups).

The interest common to "society as a whole" would then be of less interest to the working political scientist than would the interest of Congress, or the trade unions, or the Administration, or whatever association of groups he chose for his study. Nevertheless, there may well be an interest common to society as a whole, despite the practical impossibility of describing it in a modern nation-state, and the equilibria of the particular associations in which we are interested may in turn be contingent on a wider equilibrium so that our idea of the common good of an association may be modified when we extend our enquiries beyond it.

But, although Truman's empirical political science does not presuppose Bentley's methodology, the evil effects of Bentleyism are evident in the steady modification of his statement that "we do not need to account for a totally inclusive interest, because one does not exist" (p. 51), a modification which proceeds to a conclusion, on pages 516–7, very similar to Rousseau's.[23] Truman's political science, then, is quite consistent with my conception of the common good.

Indeed, he uses the phrase "the rules of the game" to explain activity which I might call activity in accordance with the common good, saying that it maintains itself *because* it is in accordance with the rules of the game, or that it was undertaken *because* the actors thought that it was in accordance with the rules of the game. In short, he uses the phrase when driven to it by the explanatory inadequacy of sectional group interests, of the notion that we see *nothing but* incompatible and particular interests. The tensions in his thinking here are indicated when he says that the rules of the game are the interests of some particular group, the interests and the group being characterized by the odd conjunction of "potential," "pervasive," "weak," "strong," "quiescent," and "dominant;" tensions not the result of his common sense recognition of groups, but of a confused attachment to a confused messiah. And he could eliminate them all, by snipping a few verbal definitions *before* his world "has gone crackly and dry."

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[22] W. A. Leys & C. M. Perry, *Philosophy and the Public Interest*, The Committee to Advance Original Work in Philosophy (Chicago, 1959), p. 37, my emphasis.

[23] See *The Social Contract*, IV, i, and notice again the quotation from Leys and Perry, above, note 22. The process of modification may be followed by consulting the references given in Truman's Index, *s.v.* "Interest groups: potential," and "Rules of the game."

THE COSMOLOGY OF ARTHUR F. BENTLEY*

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"Realism" in systematic political science in this country began to emerge, in a reaction against the inadequacies of legal and institutional description, early in this century. David Easton,[1] remarking the change, cites in evidence Arthur F. Bentley's attempt "to fashion a tool." By midcentury, it may be said, Bentleyism is tooling the fashion. A recent commentator, deploring the current emphasis on methods and measurements, declares the new orthodoxy has left its mark on the profession no less than on the world and is partially responsible for our failure to identify and solve social problems.[2] Yet, for all the talk about Bentley's influence, and despite the social significance of his ideas, there has been too little study of his theory of politics.[3] I propose to examine his writings as those of a "realist" and to show how his search for both "realism" and a "science of politics" may lead to a surreptitious sanctification of the actual. In short, in this paper I shall argue that the implications of Bentley's cosmology are conservative.

Bentley's political work had an ulterior end; it was not pure curiosity. "My interest in politics," he said, "is not primary, but derived from my interest in the economic life, and . . . I hope from this point of approach ultimately to gain a better understanding of the economic life than I have succeeded in gaining hitherto."[4] The terms of his solution, expressed first in *The Process of Government,* reflected his understanding of the early twentieth-century midwestern social and economic structure. Influenced by social Darwinism and sociological realism, and rejecting legal and judicial formalism, Bentley advanced what could be called a "functional" theory, based upon what he later called the "transactional approach."

His friend John Dewey remarked upon the profound intellectual revolution that Darwin introduced. Before Darwin, Dewey explained, species had been Aristotelian forms: "Only changes which lead to some definite or fixed outcome of form are of any account and can have any account—any *logos* or reason—made of them."[5] Darwin destroyed the rigidity and the permanence of species: "And change rather than fixity is now a measure of 'reality' or energy of being; change is omnipresent."[6] The philosophy of pragmatism grounded itself on mutability rather than the immutable. Horace Kallen expressed this by saying that attention shifted from the noun to the verb.[7]

Darwin rested his thesis on the evidence of nature. But Durkheim later argued that ideas about nature are projections of social ideas upon the outer world,[8] and Ashley-Montagu has since written that Darwinism was a transfer of the savagely competitive economy of Victorian England to biology.[9] Pragmatism has not escaped a similar attribution. Jerome Frank pointed to the early interest of another pragmatist, Charles Peirce, in legal subjects, and suggested that his attitude toward nature was an expression of his social views.[10]

In Arthur Bentley, a Darwinian of sorts with close intellectual ties to pragmatism, we have a striking example of the projection of a social outlook onto the cosmos, so that J. R. Kantor quite accurately characterized his system as a "socio-cosmological dialectic."[11]

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* A revision of a paper presented at the Midwest Conference of Political Scientists, April 28–29, 1960.

[1] *The Political System* (New York, 1953).

[2] Arnold A. Rogow, "Comment on Smith and Apter, or Whatever Happened to the Great Issues," this REVIEW, Vol. 51 (September, 1957), p. 771.

[3] The writer's perspective derived from a recently completed study, "American Conservatism: Conventionalism, Historicism, Functionalism" (Ph.D. dissertation, Columbia University, 1958.)

[4] *The Process of Government, a Study of Social Pressures* (Chicago, 1908), p. 210.

[5] John Dewey, *Reconstruction in Philosophy* (New York, 1950), p. 64.

[6] *Ibid.*, p. 67.

[7] See his article on "Functionalism," *Encyclopaedia of the Social Sciences* (Edwin R. A. Seligman, ed.), VI, 523–525.

[8] Emile Durkheim, *Elementary Forms of the Religious Life* (New York, 1915).

[9] Ashley-Montagu, *Darwin, Competition and Cooperation* (New York, 1952).

[10] Jerome Frank, "A Conflict with Oblivion: Some Observations on the Founders of Legal Pragmatism," *Rutgers Law Review,* Winter, 1954, pp. 425–463.

[11] Quoted by Sidney Ratner in Richard W. Taylor, ed., *Essays in Honor of Arthur F. Bentley: Life, Language, Law.* (Yellow Springs, 1957), p. 53.

Like all cosmologies, it had implications for human values; it could be projected back on society and when so projected would resolve questions of validity and conduct. Perhaps Bentley's cosmology was temperamentally unsuited to the man. Sharing with conservatives their distrust of reforms,[12] he was nevertheless a reformer if not a radical. He produced an unpublished manuscript on the domination of the United States by business, called "Makers, Users, and Masters in America,"[13] and in 1924 he was chairman of the Indiana state committee of the LaFollette party. He was sympathetic to the farmers and desired their organization as an interest group. Nevertheless the implications of Bentley's cosmology are conservative.

It is this underlying character, I think, rather than the persuasiveness of the system as such, that accounts for his widespread popularity in the period after World War II. The past fifteen years have seen a revival and proliferation of many varieties of conservative thought. Some have subscribed to the "New Conservatism." Others have embraced a theology. Still others, whose commitments to science will not permit them that relief, have found that they can avoid the larger issues of our day by renouncing problems of substance and giving their attention solely to methods. Hence perhaps some of the vogue of statistics and game theory, a retreat from politics which has been called "the New Scholasticism."[14] Even more satisfactory for such a purpose is Bentley's cosmology. Systematized godlessness will do as well as God to justify the social order, and godlessness enjoys the prestige of science. There is, of course, one drawback: cosmologies are inherently unscientific. The operational logic to which Bentley subscribed is usually considered by its sponsors, such as Percy Bridgman[15] and John Dewey,[16] to be a tool which by its very nature excludes finalities. The philosophical achievement of Bentley might therefore very accurately be said to consist of placing the fluid and provisional logic of Dewey in an absolute and closed cosmos.

Bentley himself admitted that his preoccupation was social. He began as an economist and indeed he considered himself an economist for most of his career. But he soon discovered that economic problems were political, and this led to *The Process of Government.* It is all the more interesting to speculate, therefore, on why he apparently gave so little attention to institutional economics, for this discipline also assumes that economic factors seek political expression. It may be that the implicit acceptance of the inevitability of change in institutional economics was what repelled him, for from the beginning he sought a closed and definitive system.[17] And it is perplexing, for instance, that he gave no attention to the equilibrium theory of Leon Walras, for Bentley's social philosophy was also an equilibrium theory—although he never gave it that name—and his epistemology reduced all philosphy to social philosophy.

Bentley's method of analysis was influenced by sociological and anthropological writers, primarily Marx, Simmel, Durkheim, and Brooks Adams, and the result was a kind of economic and sociological realism that he called "a statement of what is." But *The Process of Government* can hardly be called an empirical work. Although Bentley turned to the random, everyday contemporary milieu in its sociological context to discover the materials of politics, in *The Process of Government* he only cited observed raw data suitable to his system and then announced an exclusive formula—much as Marx adduced the economic data of the hungry '40s to support a philosophy which in fact rested upon assumptions independent of the data. There are, of course, two major differences. Whereas the philosophy of Marx was historically oriented and rested on the assumption of change, Bentley's was ahistorical and changeless. And whereas Marx turned away from philosophy—indeed he never clearly formulated his purely philosophical views[18]—and gave himself up to close empirical studies, Bentley abandoned merely factual disciplines for the study of meaning and knowledge.

In his first work Bentley claimed that local data have an independent existence apart from the general environment.[19] But in *The Process of Government* he attempted to see all social facts and values in operation, and to discover social laws. He based his analysis on "functional observation of full system," and concluded that a science of politics is possible. In 1926 appeared *Relativity in Man and Society;* in it he denies that local data have independent existence: their meaning always derives from their setting in an environment.[20] His next two books were in the field of logic, and led to his collaboration with John Dewey in writing *Knowing and the Known*, which was published in 1949.[21] Like Bentley's last book, *Inquiry into Inquiries,*[22] published in 1954, it emphasized the character of knowledge as an experience which involves not only the knower but the whole context of the event. Knowledge does not occur inside the skin of the observer: it is a "transaction" between him and the outside world, or, more accurately, it is a total event which is mangled if one breaks it into parts, observer and observed.

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[12] *The Process of Government*, pp. 1–18. It could be argued that Bentley belonged among the antiformalists whose influence for decades was not conservative.

[13] See Ratner, in Taylor, *op. cit.*, p. 35.

[14] See Barrington Moore, Jr., *Political Power and Social Theory* (Cambridge, 1958), pp. 90–110.

[15] *The Nature of Physical Theory* (New York, 1936).

[16] *Logic: The Theory of Inquiry* (New York, 1938).

[17] See *The Process of Government*, pp. 208, 465–482 for his statements on socialism, Marx, and a class analysis of society. Bentley claims that Marx's analysis lacked validity because the class did not possess unity as the group did.

[18] Engels in his *Anti-Dühring* undertook this task; see Frederick Engels, *Herr Eugen Dühring's Revolution in Science* (New York, 1939).

Dewey and Bentley described successive formulations of the process of knowledge:

> "*Self-action:* where things are viewed as acting under their own powers. *Inter-action:* where thing is balanced against thing in causal inter-connection. *Trans-action:* where systems of description and naming are employed to deal with aspects and phases of action, without final attribution to 'elements' or other presumptively detachable or independent 'entities,' 'essences,' or 'realities,' and without isolation of presumptively detachable 'relations' from such detachable 'elements.'"[23]

Apparently this three-stage understanding of cognition was intended to mirror the history of science. The first view, that of innate powers of action, is attributed to the Greeks.[24] The second, mechanical causation, was displayed in Newtonian physics. The third, said Bentley, is modern scientific theory, and he asserted that the transactional method was the method of Einstein.

But the third method is vaguely phrased. One may conjecture that it meant something more to Bentley than to Dewey. Dewey was preoccupied with the problem-solving process, and one can say with confidence that for him the transactional approach was significant because it took account of the interdependence of organism and environment—the local, reciprocating process by which the environment presents a problem to the organism and the organism successfully modifies the environment. Dewey's point of departure is the need of the organism, the incompleteness of the situation in which the organism finds itself. Bentley's conception is the completeness of the system which fulfills itself by imposing conduct upon the organism. The system functions: whatever occurs is functional. Nothing is or can be dysfunctional for Bentley.[25] In an early essay he called for a cosmology, a theory "that shows knowledge as a function not merely of symbioplasm, but of the cosmos in its aspects of the greatest symbiotic phenomena."[26] That theory proved to be the transactional approach, and Bently called it a "floating cosmology."[27]

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[19] *The Condition of the Western Farmer as Illustrated by the Economic History of a Nebraska Township,* John Hopkins University Studies in History and Political Science, Vol. II (Baltimore, 1893), p. 10.

[20] *Relativity in Man and Society* (New York, 1926), pp. 205–206. "Let the test of every phase of society be in terms of some other phase or phases."

[21] *Knowing and the Known* (Boston, 1949).

[22] *Inquiry into Inquiries: Essays in Social Theory* (Boston, 1954).

[23] *Knowing and the Known,* p. 108. On pp. 72–74, they defined the transactional approach as "functional observation of the full system, actively necessary to inquiry at some stages, held in reserve at other stages, frequently requiring the breaking down of older verbal impactions of naming. . . . Interaction is presentation of particles or other objects organized as operating upon one another. Self-action is pre-scientific presentation in terms of presumptively independent actors, souls, minds, selves, power, or forces, taken as activating events. . . . If we confine ourselves to the problem of the balls on a billiard table they can be profitably presented and studied interactionally. But a cultural account of the game in its full spread of social growth and human adaptation is already transactional."

[24] Francis Cornford, *The Laws of Motion in Ancient Thought* (Cambridge, 1931).

[25] "Knowledge and Society," in *Inquiry into Inquiries,* pp. 12–24. On page 20: "Our task now is to take the Dewey theory of knowledge as arising at crises of action and broaden it out, so that it will be explicitly stated in terms of more than individual lives." Bentley does this by reducing the individual to a segment of "taxioplasm," an inseparable part of a society which can be properly comprehended only within a system which embraces also the physical environment. On page 18: "The wolf fighting with the pack over the too-limited quarry is as much symbiotactic as when previously it was running down the prey." Synbiotaxis is the total process or function; it follows that the prey is symbiotactic too.

[26] *Ibid.,* p. 25.

The point of Bentley's agreement with Dewey is limited to the notion of the interdependence of phenomena, and this Percy Bridgman would not object to. Bridgman, however, rejected as anthropomorphic "any attempt to set up any theory applicable to the entire universe,"[28] and perhaps it was Bentley's metaphysical bias that prompted him later to an attack on Bridgman, whom he had once so much admired. At any rate, we have the extraordinary spectacle of Bentley's applauding Bridgman for his operational logic, and attacking him for making epistemological inquiry into the foundation of that logic.[29] For Bridgman, knowledge is relative to the knower. For Bentley, it was relative to the cosmos.

At the level of social theory, the difference between Bentley and Dewey is this. Dewey kept the universe open toward the future; he believed that new goals could be set and achieved by human effort.[30] For Dewey meaning was human aspiration. For Bentley the universe was the contemporaneous struggle which was the boiling equilibrium of a closed total social system. Meaning then, was merely a social event within this struggle. The transactional approach yields this cosmic view. This involves an extreme form of what has come to be called the sociology of knowledge, a view which reduces ideas to factual responses of interests to the environment. Bentley embraced the sociology of knowledge in *The Process of Government*. He said:

> When a man writes a book to advance some particular theory about society, he reflects in it a certain phase of the social process. . . . The reflection of a phase of the social process is the same thing as the reflection of some group interest or set of group interests. His "theory" is such a reflection.[31]

We may ask what group interest these words reflect, and the rest of the book tells us. Society is always in a state of balance—it would be more convenient to say equilibrium—in which certain groups occupy a position of dominance.[32] Now, the sociology of knowledge equally disarms the critics and the defenders of the *status quo*, intellectually. It transforms the issue between them into a practical contest of power, and so amounts to an indorsement of the position of the present possessors of power. To be sure, it is impartial, and will accept as willingly any new regime. It renders allegiance to any *de facto* power. Indeed, Bentley's ethical neutrality was evident when he suggested that no interest was more justified in dominating than any other. This attitude, though implicit in Bentley, may be called "cynical conservatism."[33]

Bentley's theory of knowledge is a faithful reflection of the theory of society described in *The Process of Government*. The subsurface layers, "the process of social life" and "political facts," can be seen in motion, through social activity and political action, and can be dealt with as social fact. Ideas have reference to nothing other than social life; they are observable as social fact. Ideas are surface, not subsurface, forms. The sole question is, what interests or factors of social life express themselves through the ideas? Answering this question forces one to break away from the individual as the unit of explanation of thought or of society, and to point instead to the more substantial social element, the group. Thus, says Bentley, the units of society are not individuals but groups. But the group, too, is not a solid unit. Bentley makes it clear that what he calls groups are processes rather than collections of persons. They are ongoing activities which swirl in the social cauldron. Since activities are interlaced in a moving process and one has significance in terms of others, all phases of all activities are related. A group is a cross-section of such an activity. Like any cross-section of a process, it omits motion, and thereby introduces a falsification of the data. But the process itself is not properly an isolable phenomenon. It is an activity within a context which produces it and gives meaning to it. The real transaction, the proper study of political science, therefore, is the entire system, according to Bentley. We may observe that it is precisely at this point that the analogy to equilibrium theory in economics, with its account of balance and redress through the whole system, leaps out.

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[27] Arthur F. Bentley, *Behavior, Knowledge, Fact* (Bloomington, 1935), p. 183.

[28] Bridgman, *The Nature of Physical Theory* (Princeton, 1936), p. 183.

[29] *Inquiry into Inquiries*, pp. 113–140.

[30] Dewey, *Reconstruction in Philosophy*.

[31] P. 429.

[32] *Ibid.*, p. 215.

[33] I am indebted to Professor Arthur W. Macmahon for this epithet. He suggested that American political scientists who since 1946 have become interested in responsible party government and the issues of politics should have discredited, not resuscitated, Bentley.

It is too much to ask us to entertain a picture of all of society as a single transaction, and Bentley accordingly supplies us with tools of understanding which presumably point toward the complete picture. For purposes of description he reifies groups. He gives us the conflict groups of Simmel and Gumplowicz, but not the classes of Marx. But what underlies the groups is, as with Marx, economic interest, rather than race as with Gumplowicz. Economic interests, the "lower-lying" activity and the raw material of politics, are the substructure upon which groups are erected. Not government, but the "group adjustment process" behind the government should be the object of examination. If adjustment in society is carried on by groups beneath the political level, economic groups are the keys to the system. Economic factors are not only the determinants of political events but the creators and controllers of ideas. Ideologies—but he does not use the word—are mere rationalizations of the interests of the group.[34] All social behavior, indeed, is conflict behavior, meaningful only as a function of underlying economic interest.

But, as Socrates demonstrated to Thrasymachus, interest is an ambiguous term. May not a man or a group mistake its interest? An affirmative answer would destroy the cosmology: it would admit the existence of a standard of judgment outside the universe of overt behavior. Accordingly, Bentley embraces the negative. The interest of a group is its course of behavior: the activity is the group and the interest simultaneously.[35] This deprives the word interest of any explanatory value, and banishes the economic substructure from the system. We are left with the picture of multifold processes which can be described only in terms of the contemporaneous system of which they are a part.[36]

Viewed one by one, Bentley says, groups are in conflict, and some dominate others. But in terms of the whole system dominance and subordination are misleading terms. These are merely ongoing activities of groups comparable to other ongoing activities of other groups. Slaves also are a group, and carry on an activity; and this activity is their interest and in their interest.[37] Indeed, the "functional observation" of the "full system" comprises all the "facts" and "activities" and their development within the system. Everything is functionally related in the system. In cross-section each group occupies its natural—*i.e.*, inevitable—position, and society is a natural—*i.e.*, inevitable—order, dominated by a natural—*i.e*,. inevitable—aristocracy.[38] On this teaching, all must be for the best in this best of all possible worlds.

If interest has no subjective content and can be defined only as overt behavior, it follows that "need" also is a description of what exists rather than a report of a disparity between what exists and some independent standard of reference. In his first work, a study of *The Condition of the Western Farmer*, Bentley suggested that the debtor needs the creditor; farmers need the bankers.[39] In *The Process of Government* he universalizes this conception. Need is not an emptiness but an activity. The activity may include a clamor, but this clamor is merely a part of the ongoing activities which make a balanced system. It orchestrates with all the other clamors into the music of the spheres.[40] It seems that Bentley is willing to pay a high price for the satisfaction of a closed system.

Institutions of government, Bentley tells us, are ongoing activities which express the dominance of groups. But the equilibrium of the system will prevent the domination of a single group through government, he says, for the group process in government is balanced by the group process outside of government. But if interests are manifested solely through groups, and there are no interests which are not so manifested, there is no essential difference between what Bentley calls the "representativeness" of interest groups and the structural organization of government. All social phenomena have pressures connected with government, and government is nothing more than an organization of interests combined into a single system. Indeed, the essence of his functional theory of the state is that all interests and all potential interests are a part of the governing process, since each interest is represented in proportion to its pressure.[41]

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[34] *The Process of Government*, page 241: "Each group . . . will bolster up its claim on an elaborate structure of reasoning and assertions. . . . When we go down to the group statement we get down below mere reasoning to the very basis of reasons."

[35] Bentley put no limitations on the validity of the transactional approach and group theory as a methodology to understand politics, since he had to his own satisfaction reduced political phenomena to processes in a system and groups. See *The Process of Government*, pp. 208–209: "When groups are adequately stated, everything is stated. When I say everything I mean everything. The complete description will mean the complete science, in the study of social phenomena, as in any other field. There will be no more room for animistic 'causes' here than there."

[36] It is just at this point that many behavioralists begin their analysis.

[37] Bentley, *The Process of Government*, p. 271. "No slaves, not the worst abused of all, but help to form the government. They are an interest group within it." This is hard to reconcile with his refusal to admit Marx's classes as groups.

[38] *Ibid.*, pp. 219–254.

[39] *Op. cit.*, p. 46.

[40] See *The Process of Government*, p. 443: "All of the groups . . . have value in terms of each other, just as have the colors in a painting, or sounds in music. . . . There is not a bit of the process that does not have its meaning in terms of other parts."

It follows that government also is open to no reproach for maladjustment, inefficiency, or frustration of interests. Complaints against government mean nothing more than that other groups besides the dominant ones engage in activity. Bentley also describes this phenomenon. Government generates opposition,[42] an activity which may institutionalize itself formally. The study of government is the study of the groups pressing on one another and new groups pushing old from the various agencies. And Bentley undertakes to classify governmental forms in terms of the group structure of society. Differences in government are not differences of principle, but rather of "techniques for the functioning of interests."[43] By watching the groups that secure organized methods of access to political power and comparing group processes, we can classify forms of government. But regardless of the form the process is always the same, for the existing political structure can only reflect groups which are "freely combining, dissolving, and recombining in accordance with their interest lines."[44] It is perplexing that at one point Bentley suggested that contemporaneously American government was "out of adjustment," out of balance with its group base.[45] On his principles this is impossible.

One of the most striking things about this system, as we have seen, is its contemporaneity. It does not aim at the future, it does not express the past. Of course, Bentley takes account of the past. He mentions "habit-background" and "custom," but these are assimilated to the system.[46] They enter into the substantive content of present interests. Since the idea of interest has no content save activity, no meaning except occurrence,[47] it is hospitable to anything that can be said to enter into occurrence. But this does not give him a time-oriented system. The real is always here and now. All of the system lies before the observer and can be understood fully in terms of immediate contemporary observation. Time, for Bentley, is a dimension of the present.[48]

The relation between Bentley's theory and his method should now be apparent. Through his transactional approach, the observation of the full functioning of the system, he asserted that it was possible to grasp the inner aims and purposes of any system characterized by stability. He conceived the particular (interest) as an integrated and reciprocating part of this "dynamically" changing system. His methodology was based, therefore, upon the concept of equilibrium or balance. It made possible a science of politics. He concluded:

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[41] See *Relativity in Man and Society*, pp. 119–120: "The term state indicates a great complex of closely coinciding activities, which hold together, and get enough representative process for stability. The state is fundamental not as a mystic being but only in the sense of this stability, this durational extent, this relative permanence."

[42] See *The Process of Government*, pp. 234–38. Bentley contends that a group representing subgroups and reflecting a common economic interest transforms itself into a hierarchically organized aristocratic machine of government, and the group struggle follows: a natural aristocracy opposed by a natural demogogy. A natural aristocracy generates a natural demagogic group movement.

[43] *Ibid.*, p. 443.

[44] *Ibid.*, p. 358.

[45] *Ibid.*, pp. 301, 358–59, 449–58. Not only did he feel that government or the American Republic was "out of adjustment," but that we had not modeled a system of government to meet our needs, and that democracy or representative democracy was a "structural arrangement" which would prevent groups from obtaining a "disproportionate power of functioning through government."

[46] See *Inquiry into Inquiries*, p. 344: "Behavioral pasts and futures—histories and goals, habits and purposings—are before us descriptively in behavioral presents."

[47] See *The Process of Government*, pp. 192–3, where Bentley said that if a comparison of group activity were made, "we shall have the human nature and the environment comprised in our very statement of the activities themselves—the actual happenings."

[48] See *Relativity in Man and Society*, pp. 139, 205–6; also *Inquiry into Inquiries*, p. 24.

> One might work out a picture of the adjustment, "normal" for the given society . . . in erms of the adjustment of the actual strengths . . a process that every interest forcing itself beyond the point of endurableness to the remainder of the interests would be checked before ts excess has provoked violent reaction.[49]

So Bentley's science of politics ended in a science of control within a closed system.

We may suppose that a political scientist who announced, without more, that political science could dispense with history and psychology would win few followers. But apparently it is possible to contrive a system which attributes no significance to psychology and history and win converts to the system. This has only recently been true. The first edition of *The Process of Government*, in 1908, was rather uncharitably received and had limited influence. The second, in 1935, was published by friends at a small press as a kind of reflex of interest in his more important work in logic. But in 1949 it had a third edition, and in 1955 a fourth; in 1957 a *Festschrift* was presented to Bentley. Formal studies have acknowledged indebtedness and sometimes professed adherence to his principles.[50] What is the explanation of this recent popularity?

Paul A. Baran, a Marxist economist, attributes the vogue of equilibrium theory in economics to the current failure of capitalism to solve the problem of growth:[51] equilibrium theory studies transactions in a closed system and until lately it implicitly denied the goal of growth. But *the* economic problem of most of the world is growth.

Equilibrium theory in politics also studies transactions in a closed sytem and still assumes the sempiternity of the system. It is ironical that the current fashion should insist upon the perpetuity of group struggle and group conflict, while the socialist sector of the world makes the point that cooperation rather than conflict may be the basis of social life, and many of the uncommitted countries seek such a solution. In a rapidly changing world, I submit that the teachings of cynical conservatism are inadequate. I suggest, too, that those who are interested in developing a general theory of politics look not only for additional tools, but look also very closely at the new tools that are offered.

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[49] *The Process of Government*, p. 458.

[50] Not all "group theorists," however, have been bound by his system. I would clearly distinguish between Bentley and the work of Professor David Truman.

[51] *The Political Economy of Growth* (New York, 1957).

"THE GROUP BASIS OF POLITICS": NOTES ON ANALYSIS AND DEVELOPMENT

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Academics who make scholarly book on trends in the literature must heed "the group theory of politics." For there is much evidence that the approach is being de-emphasized for a third time. Arthur Bentley's *The Process of Government* is, of course, the most prominent of the contributions apparently headed for disciplinary oblivion.[1]

This paper attempts to blunt the recent criticism by directing students to the unfinished (and largely untouched) business of exploiting "the group approach." The prime vehicle for this effort will be Bentley's *The Process of Government* rather than the corpus of his work or that of his interpreters.

A three-fold rationale supports this analytical visit to the tap-root of "the group approach." Primarily, critics have avoided the issues posed by Bentley. Moreover, pleas for abandonment of his approach often reflect an important misconception. Consider Rothman's conclusion that "there is certainly room for studies of the kind which rely upon the mature judgment of their authors, rather than being bound by conceptual schemes which appear to be simple keys to reality, but which only serve to blind students to the obvious facts of politics."[2] No one, of course, should be bound by inadequate conceptual schemes in the long run But all empirical work must be based upo more or less adequate conceptual schemes i the short run. This implies the perfection o methodology, for which mature judgment is necessity but not a substitute. Finally, the desire to disengage research from "the group approach" waxes strong just as significant advances seem likely to accrue from modes analytical innovations.

I

Four underlying elements constitute th vitals of Bentley's *The Process of Government* Their combinatory effects tend to be neglected But they outline Bentley's purposes as well a spotlight the methodological apparatus necessary to exploit his insights. These elements include, in order: one of strategy, two of tactics, and one of the stuff of Bentley's approach.

Bentley spelled out the strategy of his argument bluntly:[3]

> If a statement of social facts . . . lends itsel better to measurement . . . that characteristic entitles it to attention. Providing the statement does not otherwise distort the social facts, the capability of measurement will be decisive in its favor. The statement that takes us farthest along the road toward quantitative estimates will inevitably be the best statement.

His approach thus called for a reorientation around "political analysis" rather than the traditional emphasis upon "political philosophy."[4]

This reorientation has raised serious questions. To illustrate, Odegard pithily wondered if "the group theory" does not "in effect defend the principle that Might is Right?"[5] He reflected the judgment of many scholars. Their concern is that political analysis will define its values in terms of its findings if the problem of values is not handled explicitly. This concern is felt sharply even by those who have a strong ommitment to the approach for which Bentley rgued.[6]

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[1] The history of the first two discovery-reaction sequences is reviewed in the Introduction to Arthur F. Bentley, *The Process of Government* (Bloomington, 1949), esp. pp. xvii-xviii. The volume was published a half century ago (Chicago, 1908) and reprinted some years later (Bloomington, 1935). All quotations below from Bentley are from the 1949 reissue.

The recent critical literature is large. Selected references cited below are: Peter H. Odegard, "A Group Basis of Politics: A New Name for an Old Myth," *Western Political Quarterly*, Vol. 11 (September, 1958), pp. 689–702; Bernard Crick, *The American Science of Politics* (Berkeley, 1959), pp. 118–30; Joseph La Palombara, "The Utility and Limitations of Interest Group Theory in Non-American Field Situations," *Journal of Politics*, Vol. 22 (February, 1960), pp. 29–49; and Stanley Rothman, "Systematic Political Theory: Observations on the Group Approach," this REVIEW, Vol. 54 (March, 1960), pp. 15–33.

[2] Rothman, *op. cit.*, p. 33.

[3] *Op. cit.*, p. 20.

[4] Ernest Barker, *The Study of Political Science and Its Relation to Cognate Studies* (Cambridge, England, 1928), p. 42.

[5] Odegard, *op. cit.*, p. 701.

Such questions, however, are largely beside he point of disciplinary necessity or Bentley's ntentions. Practically, the growing and sucessful poaching by students of other disciplines stablishes the necessity of Bentley's general pproach most decisively. More basically, the hree following elements of Bentley's contribuion preclude such questions.

The second major element of Bentley's work s his search for a "theory" applicable to the material of the governmental process." Bentey was interested, without exception, in "emirical theory." His meaning is modern. That s, briefly, theory for Bentley was a set of descriptive statements about the empirical world; and a theory was to be considered valid only as long as it was consistent with observations of relevant phenomena. A "bad" empirical theory, then, serves only the temporary (if vital) function of focussing research attention. A "mistaken" theory may of course distract that attention toward irrelevancies. But a "good" empirical theory serves this quartet of purposes: it is

(1) *aggregative*, since theory indicates the set of relations which are regarded as existing in some empirical universe;
(2) *suggestive*, since theory implies possible empirical relations other than those specifically provided for;
(3) *predictive*, since theory permits the prediction of relations in some empirical universe; and
(4) *corrective*, since theory permits continuous internal retesting by the comparison of empirical observations with derivations from the properties of the theory.

The general difficulty with this second element of Bentley's work stems, in large part, from a failure to distinguish purely empirical theory from "goal-based, empirical theory." The latter is the theoretical statement of the empirical conditions necessary to achieve a particular set of values. Bentley is not at all interested in such theory, with substantial reason. For much progress can be made in empirical theory before any agreement on goal bases is reached. Moreover, empirical theory has a logical precedence: the *description* of the effects of groups with specific properties upon member behavior under specified conditions must precede the *prescription* of the conditions necessary to achieve a particular value-set, *e.g.*, high productivity in industrial work units.

Critic and acclaimer alike tend to overlook Bentley's clear distinction. Thus both usually speak of "*the* group theory." Moreover, many "group theorists" work both sides of the street of empirical theory, simultaneously and often unconsciously. For their work often assumes that the normative "ought" is defined by the empirical "is." This contributes to the confusion of the two types of empirical theory. With similar effect, the critic (usually implicitly) approaches "the group theory" as if it were goal-based, empirical theory. Thus Odegard complained that:[7]

> If politics is a process for the *peaceful allocation of values* in society, political scientists must take account of the values no less than the process of allocation. . . . A theory of politics which excludes where it does not frankly reject a concern for values, which denies that reason has a significant role to play in the process of government, and which devalues the individual by its exaltation of the group is, I suggest, inadequate.

Bentley, in addition, left no doubt as to his position on a third theory-type, "utopian theory." This is a type developed logically from an arbitrary set of goals, definitions, and axioms. As Bentley strikingly noted, the scholar utilizing the utopian approach settles "his whole study in advance by a whole mass of assumptions. . . . Such a study is merely a systematization and dignifying of [the student's] outlook on the world."[8] Utopian theory has its uses, of course. Even though there is no "space" corresponding to that of plane geometry, for example, its assumed properties correspond closely enough to empirical dimensions for some practical purposes. But reliance on utopian theory involves potentially high risks of confusion, and especially in social study (as Bentley understood). This potential was all the greater because empirical and utopian theory often were equated: much purportedly empirical theory reflects utopian assumptions consistent with the predilections of the formulator rather than with empirical reality.

Despite Bentley's strictures, however, convenience has encouraged the equation of utopian and the two empirical theory-types. Paradoxically, the existing "group theory of politics" is essentially a utopian theory.

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[6] Oliver Garceau, for example, stressed the conflict of the study of behavioral uniformities and the "liberal, democratic faith" in man's capacities as an individual; see his "Research in the Political Process," this REVIEW, Vol. 45 (March, 1951), p. 69

[7] Odegard, *op. cit.*, p. 701.

[8] *Op. cit.*, p. 195.

The third element which characterizes Bentley's work is a tactic derived from his theoretical emphasis. This book is in part a conscious polemic. Thus he called attention to "certain exaggerations, or at least certain shades of overemphasis," and he warned that "if my line of criticism should be applied literally . . . there would be an exaggeration in its statement."[9] The tactic had negative effects. For it tended to obscure his basic issues in a sometimes vigorous counter-polemic. But the shock effect was intended. Its purpose was to pry students loose from their utopian theorizing, or at least to force them to recognize their method and its limitations. The goal was the encouragement of empirical theory. So his early chapters inveigh against utopian theorizing *via* a wide-ranging critique of the work of many leading scholars. Similarly, he time and again referred to *The Process of Government* as "an anticipation of results" deriving from his empirical reorientation rather than as itself a useful empirical theory.[10] This emphasis, too, tends to escape critic and supporter alike.

"Activity," the "stuff" of his approach, is the fourth related element in Bentley's contribution. He desired to direct scholars from the fluff of utopian work toward the "hard stuff" of empirical reality. Hence his strong stand against utopian theory, the product of "pure reasoning" as a method. He regarded the "feelings" and "ideas" derived from utopian theory—and proffered as causes of behavior—as "soft," that is, intangible, unmeasurable, and thus uncommunicable. In contrast, he conceived "activity" as "hard," that is, objective, measurable, and communicable, and so capable of supporting his empirical ambitions. He stated his position emphatically:[11]

> The 'ideas' and 'feelings' serve to give the individual man his orientation in the social activity in which he is involved; they serve, so to speak, to define him as an individual. There is no idea which is not a reflection of social activity. . . . He knows what he feels, and indeed even that he feels, only in terms of other men's lives.

But Bentley is not as simplistic as some imply. Principally, his position tends to be misunderstood. What he proposed is reasonable enough: the specification of empirical referents for purported empirical propositions. His approach was *via* method, although the products of a method (*e.g.*, "feelings") seem at first glance to have been his target. That is, Bentley set himself against utopian theorizing: *e.g.*, a "idea" (*Das Volk*) is attributed to an assumed subject (a "race") and then is used to explain the subject's behavior. Bentley, in contrast was convinced that many "ideas" and "feel ings"—especially those relevant to politics—were products of groups whose properties could be specified. Such groups provided empirica referents to restrict the preoccupation with free-floating "ideas." So he continually directed (or more accurately, over-directed) attention to the "activity" of an "idea" to prevent its mere assumption.

Consistently, Bentley admitted "ideas" or "feelings" *if* they were isolated empirically For example, he noted that the "habit background," or sub-culture of a specific group may "usefully be taken into reckoning as summing up a lot of conditions under which the groups operate." But he cautioned that such reliance might inhibit investigation and encourage utopian theorizing. Consequently, he urged that the empirical properties of any "habit background" be established with care and constantly checked for change.[12]

Critics stress, about equally, Bentley's neglect of "ideas" or his illegitimate use of them.[13] The former critics reveal careless reading; the latter overlook Bentley's primary concern with method rather than with its products. Thus Bentley would not have criticized "ideas" or "feelings" had they been the empirical products of satisfactory polling techniques rather than variably acute, but typically conflicting, utopian speculations of scholars of his day.

Two other factors also encourage an unjustly simplistic characterization of him. First, one senses a good deal of tongue-in-cheek in Bentley's analysis of the "stuff" of his approach. Indeed, he warns against too literal an interpretation of his analysis. This warning seems to apply, for example, to his tortured treatment of "activity," which strongly suggests an attempt to bamboozle his readers with an extravagant example of the method he reproached them for using.[14] But exactness does not trouble im. "If any of these things lead us to interesting paths," he wrote, "we shall be prepared to ollow them heedless of definitions. Who likes nay snip verbal definitions in his old age, when is world has gone crackly and dry."[15] Second, e tends to be judged by his self-admitted 'overemphases" (*e.g.*, the sharp thrust above). This distracts attention away from the balance of his argument, which is more delicate.

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[9] *Ibid.*, p. 443.

[10] *Ibid.*, p. 484.

[11] *Ibid.*, p. 177.

[12] *Ibid.*, pp. 218–19.

[13] Crick, *op. cit.*, for example, stresses the former position; and Odegard, *op. cit.*, pp. 694–95, stresses the latter.

[14] Bentley distinguished: "activity"; "tendencies toward activity"; and "tendencies which have no clearly evident action following after them" because they are "suppressed, blocked, postponed, or inhibited." The latter two types are necessary, *e.g.*, to explain the emergence of new groups. But the necessity had its price. Thus

II

Nothing is gained by setting too optimistic oundaries for Bentley's accomplishments. But this is normally done. *The Process of Government,* its acclaimers imply, is a monumental end-point in the study of politics. Bentley's critics, in turn, assume that the work ought to be judged as a "general theory." Both positions are grossly exaggerated. Arguments based upon them are thus unrewarding, being polemics on the one side and cheap victories on the other.

The Process of Government, as Bentley saw it, was a far more limited work and yet more far-reaching. It was limited in that he knew he had sketched, at best, the rough outlines of an empirical theory, and that based upon fragmentary and inadequate empirical research. Only the method he proposed to apply to his skeletal theory differentiated him from the utopian theorists against whom he railed. But this was an important "only." As he noted in explaining his use of historical illustrations:[16]

> I wish . . . to say frankly that I am writing without detailed verification [which] is, of course, an absolutely essential prerequisite [for empirical theory.] Here, however, I . . . use such rough knowledge of history as we have to throw light on the group method of interpretation. The group method is for its part only of value so far as it can be used in specific interpretations . . . If there is any of the material of the governmental process which is not capable of statement by the method I propose, then I am open to serious criticism . . .

But he also made far-reaching claims for his effort: he believed the "group" was a useful focus for empirical theory; and he believed he had presented useful methodological directions for the required empirical effort. Thus he described the book as a "method" or a "tool" rather than a "system" or a "theory." He did not consider that his methodological suggestions were complete; rather, his efforts constituted "more of an anticipation of results than a statement of method." But he did hold that *his basic methodology was valid.*[17] Realistically, then, an estimate and an explanation of the degree of his fulfillment of his analytical ambitions must tap both the adequacy of his focus for theory and the long-run utility of his methodological suggestions in permitting the development of an empirical theory around this focus.

Bentley straightforwardly asserted his claim for the greater adequacy of the "group" as a focus for empirical theory. The other possible foci were: "ideas" or "feelings" and similar utopian products; and a mechanistic and rational theory which Bentley called *the* theory of politics. These two foci for theory are descriptively inadequate, Bentley maintained, "even in the most deliberative acts of heads of governments." The "group" focus permits the required empirical description "much more fully": it "points solidly to the social content, always in individuals [as in the traditional theoretical foci], *but never to be stated adequately in terms of individuals* [unlike the traditional foci]."[18]

This claim forces no denial out-of-hand. Indeed, it understates Bentley's contribution. For his core theoretical insights were far ahead of his time and constitute an important part of the century-long theoretical and methodological change which supports the modern study of social organization.

Bentley must share credit with many others for certain elements of his contribution to that study. Indeed, he acknowledged a long list of indebtednesses in his Chapter XXII for directing him toward the "group" as a theoretical focus. It was a focus that opened significant research avenues. Thus it permitted the successful treatment of the previously awkward problem of the "inconsistency of behavior"—that is, the common observation that any individual performs apparently contradictory behaviors. Earlier theories emphasized the individual and some macroscopic social "unit" in explaining behavior. Such theories could explain apparent behavioral inconsistency only with some tortured utopian sleight-of-hand, unless students were willing to support the proposition that

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"tendencies to activity" were proffered as a "stage of activity" and the same as, although different from "activity." "Suppressed tendencies," as Bentley acknowledged, defied even such audacity. *The Process of Government*, pp. 186–89.

[15] *Ibid.,* p. 199. On the apparent pointlessness of his ire, see the discussion of definition below.

[16] *Ibid.,* pp. 330–31n.

[17] *Ibid.,* p. 482.

[18] *Ibid*, pp. 197, 447. (my emphases)

the empirical study of behavior was pointless.[19] Bentley, in contrast, preserved the notion of the consistency of behavior by shifting the explanatory focus (in many cases) to the changes in the "reference groups" or "membership groups" influencing an individual's behavior. This explanatory focus has been validated many times.[20] Many social units, in effect, could do the explanatory job that often eluded the two research units of the individual and the macroscopic "society."

But Bentley surpassed early students of social organization as well. The seminal nature of his work is illustrated strikingly by his accurate perceptions of the directions which fruitful research would take. Consider his treatment of the problem of definition. He is often chided for his neglect of a convincing definition of "group" or of "interest." This neglect was intended and, primarily, reflects his opposition to utopian theory, whose starting point is definition. The neglect also reflects an important awareness. For he realized that early social analysis involved more voluminous description than tidy definition. To put words in his mouth: "If I could define 'group' adequately," he would say, "there would be no point to writing *The Process of Government.*" Early definitions, indeed, would be likely to impede the development of the dimensions which would eventually permit precise designations.

More specifically, his core concepts also have proved useful foci for research in social organization. "Activity," for example, has been particularly prominent, although Bentley does not always provide the inspiration for its use. At one extreme, the concept has been utilized in efforts to reorient entire disciplinary areas, as in John R. Commons' "collective economics," which is meant to supplant traditional economic theory and the individualistic assumptions upon which much of it is based.[21] At the other extreme, "activity" has been the basis for sophisticated observer systems designed to permit the description of behavioral sequences in great detail.[22] A substantial empirical liter ture has been built upon such systems.

Bentley's preliminary development of th "group" focus also anticipated two other majo longer-run directions of research in soci organization. First, he suggested a primitiv but fruitful typology of "groups," which h argued was necessary to permit the develo ment of an empirical theory having high pr dictability. This typology included sever varieties of "political groups" as well as raci and sectional groups. But he also isolate "underlying groups." They were underlying i several senses: in them the individual deve oped his need for group affiliation and assim lated a style of group participation, whic varied between "cultures" and was reflecte in varying participation in political groups and these groups were relatively permanent, in tense affiliations, of which political groups wer but transitory and skin-surface reflections.[2] This typology thus previewed the emphasis o the research of a half-century later. For i sketched the clear outline and importance o the research unit—the small group—which ha proved so useful in the early controlled studie of social organization. This feature of the typology also requires underscoring because o its general neglect: the group focus is not monolithic, and certainly not restricted to "pressure groups."

Second, Bentley also stressed the isolation of the important "somethings" to describe groups and to validate the "group" as a focus for theory. This modern emphasis distinguishes him from many of his contemporary "group theorists." For example, even the purported empirical theory of the extraordinarily influential LeBon was built upon an undifferentiated "crowd" concept and was self-fulfilling rather than self-correcting.[24] In contrast, Bent-y explained his search for group dimensions in is way:[25]

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[19] For ample evidence of the state of the literature, see Gordon W. Allport, "The Historical Background of Modern Social Psychology," in Gardner Lindzey, ed., *Handbook of Social Psychology* (Cambridge, Mass., 1954), Vol. I, pp. 3–56.

[20] For one of the early experiments, see Leon Festinger, "The Role of Group Belongingness in a Voting Situation," *Human Relations*, Vol. 1 (1947), pp. 154–80.

[21] *The Economics of Collective Action* (New York, 1950).

[22] Robert F. Bales, *Interaction Process Analysis* (Cambridge, Mass., 1951).

[23] *The Process of Government*, pp. 434–36. The "underlying group" is patently similar to the "primary group" concept developed at about the same time by Charles H. Cooley in his *Social Organization: A Study of the Larger Social Mind* (New York, 1909). Cooley's seminal role in the development of the modern study of social organization is often stressed.

[24] Allport, *op. cit.*, p. 26, notes that: "Perhaps the most influential book ever written in social psychology is Le Bon's *The Crowd* (1895)." Le Bon's "crowd" concept, however, was applied indiscriminately to juries, legislatures, electorates, and so on (that is, when they behaved in the

> . . I am not so much attempting to get results s to indicate methods, and . . . I do not regard e extent of my study of the widely scattered cts of government as great enough to warrant e in being dogmatic about the exact *number or rieties* or even the *typical relationships of oupings.*

is many suggestions of possible differentiat- g dimensions covered the broad spectrum om the personality characteristics of members o the specific "habit background," or sub- ulture, within which a group was situated.[26]

The scope of the description Bentley pro- osed can be suggested generally. It was othing less than the isolation of the relevant imensions of reality, and hardly the simplistic lassification of "farm groups," "labor groups," nd so on. "When the groups are adequately tated," he wrote in reflecting his broad em- irical ambitions, "everything is stated. When say everything, I mean everything. The com- lete description will be the complete science. . . There will be no more room for animistic causes' . . . ".[27]

This position has alienated many scholars. The easy interpretation of this position empha- izes Bentley's tiring monomania. But the nterpretation is too facile. Bentley simply proposed to exclude all the "ghosts" of utopian theory from his empirical effort. Incidentally, critics tend to drop his last sentence in this passage.[28] This seems to reflect their failure to distinguish types of theories.

Moreover, the complete description of "the groups" of Bentley's broad typology would cover the immense analytical range from the properties of the groups to the "ideas" and "feelings" which comprise the behavioral rules-of-the-game for the many overlapping groups. The "group" concept, in fact, is a strategic one for precisely this reason. To illustrate specifically with but one type of "group," the *internal analysis* of the small group requires three emphases: the description of microscopic sub-cultures; the charting of small social structures; and the study of processes by which personality elements are developed and elaborated in the group experience. Such internal analysis permits quite discriminative prediction. But more precise prediction requires *relational analysis.* Thus confidence in predictions is increased by the specification of such environmental properties as the technology a group employs or the formal organization in which a group is located.[29] As three eminent students of the small group concluded, in sum, its study "does not 'belong' to any one of the recognized social sciences alone. It is the common property of all."[30]

Interestingly, Bentley's critics sometimes want to have their critical cake and eat it as well. Thus his assertion that "everything is stated" with adequate group description is often parodied. Concurrently, the attempt is made to isolate group study from the very phenomena whose systematic examination he urged to flesh-out his theoretical skeleton. That is, the undifferentiated "group" concept itself is required to explain "everything." This, in turn, is precisely (and correctly) the position for which Bentley's followers are chastised.[31]

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inelegant way Le Bon said crowds behaved). Moreover, the "crowd" was a "condition" for Le Bon rather than a conceptual entity whose properties required description.

[25] *The Process of Government,* p. 434. (my emphases)

[26] *Ibid.*, pp. 218–22.

[27] *Ibid.*, pp. 208–9.

[28] Rothman, *op. cit.*, p. 15, for example, does so.

[29] See my development of this position in "The Small Group and Public Administration," *Public Administration Review*, Vol. 19 (Summer, 1959), pp. 149–56.

[30] A. Paul Hare, Edgar F. Borgatta and Robert F. Bales, *Small Groups: Studies in Social Interaction* (New York, 1955), pp. v–vi.

[31] Rothman, *op. cit.*, p. 19, for example, scored Truman's use of the "status-role" concepts. He noted that "status-role" and the "group" are on different analytical levels. The latter is an "abstraction from action"; the former, a "type of actor." In addition, the "traditional definition" of the dual concept requires: "(1) its application throughout any social system, and (2) its use as a variable which is at least as important if not more important than group membership for explaining individual attitudes."

The position is curious. For the "group" is an "abstraction from action," as all concepts are. By the same reasoning Rothman would preclude the existence in the same theory of electron and valence, which are in his terminology an "actor" and an "abstraction from action," respectively. In addition, "status-role" is defined only in terms of group membership. Weighing the importance of the concepts and group membership, then, is fatuous. Finally, the concepts are inextricably of "the group approach." They have proved useful, for example, in the study of small groups as well as of the broader "social system."

III

Despite the magnitude of the theoretical breakthrough to which Bentley contributed its follow-up in "the group theory" leaves much to be desired. If we ask why, my emphasis in answer is upon a single explanatory factor: Bentley's inadequate methodology which hindered, if it did not preclude, the exploitation of his core theoretical insights. More specifically, this section will demonstrate the lack of methodological development of "the group approach." The two following sections will explain, respectively, why this methodological impasse occurred and how it can be overcome.

That Bentley's methodological ambitions have not been realized is easily demonstrated. First, most of his followers presume that he stressed a subject matter. But he was rather interested primarily in how a subject matter should be exploited, whatever it was;[32] he was deeply involved with the problems of the isolation and transmission of knowledge about empirical reality.[33] But, although he himself knew better, his lot has been to legitimate a subject matter rather than to inspire methodological innovation. Second, consistently, scholars taking his lead have rewritten the frontispiece of *The Process of Government* to read: "This Book is a Complete Statement of a Comprehensive Theory." Bentley's frontispiece, however, more accurately says: "This Book is an Attempt to Fashion a Tool." Third, the few existing elaborations of his contributions are new versions of the "ghosts" of utopian theory which he sought to banish. There were a few dissenters.[34] In general, however, students rushed upward to dizzying theoretical heights, as in the postulation of "group equilibrium." As Latham articulated the notion:[35] "What may be called public policy is actually the equilibrium reached in the group struggle at any given moment." Without the development of the social counte parts of "entropy" or "blood pressure" and th like, however, such attempts must take place a a mystical level. That is, no testing is possibl without such empirical dimensions. Thus th acute scholars who have contributed to suc formulations encouraged utopian theorizing b the less gifted in assuming that methodologic problems had been solved—rather than merel posed—by Bentley.

IV

That Bentley succeeded only in part in re orienting analytical methods should not pro voke wonder. For he did not provide a researc medium convenient for early efforts. Nor di he provide methodological directions useful a any stage of empirical study.

His research medium, first, imposed enorm ous practical difficulties which overwhelme early researchers. For example, the "laborator experimentation in society" which he suggested for the "interests" was (and is) a formidable proposition.[36] The history of the application of a natural-science approach to the conceptual breakthrough to which he contributed documents the point. The most startling research advances in the study of social organization have come but recently in small-group analysis, after a half-century search for a manageable research medium. The small group is an important—but hardly exclusive—research medium for the controlled study of behavior. However, the small group has research advantages—especially limited size—which encourage early methodological progress *via* testing and retesting. Moreover, such study provides an object lesson in the methodology necessary to develop an empirical theory for less amenable research units.

Ironically, Bentley did recognize the existence of "underlying groups." But, in a few revealing passages, he chose "political groups" as his first subject for study. He explained:[37]

> It would seem at first sight that the political process could not be studied till the process of the underlying groups had been studied, for political groups are built up out of, or, better said, upon, the other groups. Political groups are highly differentiated groups reflecting, or representing, other groups, which latter can easily, and I believe for most purposes properly, be regarded as more fundamental in society. The political process goes on, so to speak, well up toward the surface of society . . . .

Indeed, Bentley himself emphasized the importance of status and role in specifying the properties of various groups in his typology. *The Process of Government*, p. 228.

[32] For Bentley's vigorous denial of paternity of the "pressure group" literature, see his "Kennetic Inquiry," *Science*, Vol. 112 (December 29, 1950), pp. 775–83.

[33] *The Process of Government*, p. 202.

[34] Philip Monypenny, "Political Science and the Study of Groups: Notes to Guide a Research Project," *Western Political Quarterly*, Vol. 7 (June, 1954), pp. 184–85.

[35] Earl Latham, *The Group Basis of Politics* (Ithaca 1952), p. 36.

[36] *The Process of Government*, p. 482.

[37] *Ibid.*, pp. 209–11.

> Nevertheless, it is my conviction that political roups, highly differentiated as they are, can well e studied before the other groups. . . .

His conviction seemed to rest upon the importance of such "political groups," rather than upon methodological grounds. Sympathy with his ambitions comes easily. But the complexity of his subject matter encouraged the tangled egrowth of the very utopian theory which provoked his effort.

His methodological suggestions, second, were nappropriate. Consider his analytical goals: some means for the accurate perception of realty; and some means for the clear and consistent reporting of such perceptions. Only thus, he correctly argued, could empirical theory be developed and order be made out of the confusion of utopian theories, each offered as the key to reality but none subjected to the tests which would validate its claim. His solution was the postulation of a "universal base" —"activity"—to measure social phenomena. This did not succeed in measuring social life, he sometimes realized. But he felt it did provide "a foundation upon which a coherent system of measurements can be built up."[38]

However, Bentley fell into a trap which has ensnared other scientific pioneers.[39] Basically, he encouraged a sharp distinction between "things" and "relations between things." "Things" are "hard" and "real." "Relations between things" are abstractions, as one student articulated it, "phases of our experience with which we can deal only by thinking or talking about them. They cannot be heard, seen, or pointed to with any part of our bodies. . . ."[40] In dealing with "activity," Bentley often implied, one is dealing with "things," "hard" reality. All other concepts are "ghosts," non-empirical constructs of the imagination.

The distinction is an important one. But Bentley's conclusion was unfortunate. For there could be no science without "relations between things" such as atomic structure or electrical field. The implied "hard" conception of reality is thus inadequate and misleading. As Horowitz and Perlmutter explained:[41]

> To ask the question of whether [a conceptualized dimension of reality] 'exists' is really to ask 'what are the scientific criteria for reality and existence?' . . . existence is tentative, or relative, at any stage of a science and any concept which has explanatory power, is defined in relation to other concepts, is subject to experimental test, and has not yet been 'disproved,' can be said to have this tentative existence.

Thus Bentley's professed aim was the use of natural-science methods in the study of politics, but his separation of "things" and "relations between things" precluded the application of these methods.

Relatedly, Bentley gave ample encouragement to students to succumb to what has been called "The Fallacy of Misplaced Concreteness." This is the common belief that, in the words of one student, "for anything to be real it must have 'simple location' in physical space-time."[42] Bentley's emphases upon "activity" suggest such a "simple location" for behavior. Meaningful empirical description, however, does not require "simple location": many of the useful "somethings" in the empirical sciences, to illustrate, are ratios between several component elements which have no physical space-time locus. Thus any description limited to "simple location" would be incomplete, at best.

Bentley's emphasis in these two particulars is not monolithic. On many occasions, for example, he argued that it was necessary only to catalog as much "activity" as possible to understand political behavior.[43] This again reflects his conception of reality as "hard" and with "simple location." On the other hand, Bentley often displayed great sensitivity to the more subtle character of empirical investigation. Thus his brief analysis of multiple group-memberships, conceived as a large number of planes passing through the individual's life-space, suggests the enormously complicated problem of workably defining a "group," let alone restricting it to a "simple location."[44] And he also cautioned that the analysis of the formal structure and overt activities of a group is inadequate for scientifically useful description.[45]

The grosser aspects of Bentley's argument have prevailed, however. The conception of a "hard" reality with "simple location" patently underlies the generally low-level description in the literature. This triumph of the gross over the subtle must be attributed to his inadequate methodological directions. Tersely, he provided a devastating critique of then-existing research. The "ghosts" of "feelings" and "ideas" typified for him the results of a pliable methodology which could be stretched to cover lack of empirical knowledge. He also offered the attractive goal of an empirical theory. But he provided no adequate route from the critique to the goal. His emphasis upon "hard," "simply-located" reality was a procedural *cul-de-sac*.

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[38] *Ibid.*, p. 202.

[39] See, for example, Floyd H. Allport, *Institutional Behavior: Essays toward a Reorienting of Contemporary Social Organization* (Chapel Hill, 1933).

[40] *Ibid.*, p. 15.

[41] Milton W. Horowitz and Howard V. Perlmutter, "The Concept of the Social Group," *Journal of Social Psychology*, Vol. 37 (February, 1953), p. 80.

[42] Quoted, *ibid.*, p. 80.

[43] *The Process of Government*, p. 188.

[44] *Ibid.*, pp. 204–5, 207.

[45] *Ibid.*, pp. 210–11.

V

The means to attain Bentley's objectives without forcing reality into a too-restrictive mold, however, are not out of reach. Indeed, the methodological knowledge is available. In addition, some disciplinary work points in the direction of the required innovations.[46] The following brief analysis, then, will try to capitalize on these opportunities for easing the developmental work in the discipline. It will also spotlight Bentley's methodological inadequacies.

The required innovations in method constitute the ground rules of, or the general limits for problem-solving in, empirical research. They underlie the discussion of the two empirical theory-types above, and differentiate them from utopian theory. They police the solution of the two problems of research at the middle-range theoretical level: the isolation of the important "somethings" in any problem area (the problem of *nominal definition*, or conceptualization); and the development of techniques for the consistent measurement of the degree to which these important "somethings" exist at any point in space-time (the problem of *operational definition*, or operationalization).[47]

Nominal definition is vital, for it concerns the isolation of those properties necessary to describe a problem area. Beginning efforts are seldom very precise. Consequently, finer prediction usually requires the substantial modification of early conceptions and the theory t which they led. Early conceptions of "crime,' for example, suggested its relations to povert and slums. Modifications of the concept t include "white collar crimes"—as well as th traditional crimes against property and perso —induced marked theoretical changes.

Bentley displayed a definite respect for th problems of nominal definition. Thus h avoided premature definitions which might b permanent as well as procrustean. For example, "activity" was conceived tentatively a broad and highly differentiated.[48] In addition, he began the isolation of the dimensions necessary to describe the chaos of "activity" parsimoniously. Illustratively, he warned against the exclusive use of such measures of "activity" as legislative roll calls. They may be helpful. But the underlying dimensions of the voting process, paramountly, must be isolated. He advised students, then, "to measure the measure, to go far back and examine the quantities that have been in play to produce the given results."[49] Bentley's "habit backgound" was one of these background dimensions which give different "meanings" to the same "activity" in different "societies."[50]

He discouraged a similar sensitivity to nominal definition in his followers by his emphasis upon reality as "hard" and with "simple location." His contribution need not be denigrated because of such difficulties, however, for the processes of concept formation are ineluctably subtle.[51]

The problems associated with operational definition were beyond Bentley in *The Process of Government* and still elude his followers. It would be anachronistic to argue that the 1908 Bentley ought to have been aware of such problems. For natural scientists still were to formulate firm notions about operational definition. But, as a matter of fact, his lack of awareness had a determinant influence on the development of "the group approach." Specifically, the process of developing operational definitions is an important guide in the development of useful nominal definitions. In sum, general directions of *how* to measure (operations) are helpful guides to *what* to measure (conceptualizations). Moreover, operational definition permits the transmissibility of results and consistent retesting which Bentley sought.

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[46] La Palombara, *op. cit.*, p. 30, has proposed the comparative examination of some middle-range propositions to determine whether or not the "interest group" focus is a useful one in the "construction of a general [empirical?] theory of politics."

[47] In general, see William J. Goode and Paul K. Hatt, *Methods in Social Research* (New York, 1952), esp. pp. 41–53. Bentley's later work also bears on these problems, particularly his *Inquiry into Inquiries: Essays in Social Theory* (Boston, 1954), pp. 113–40.

[48] *The Process of Government*, p. 194.

[49] *Ibid.*, p. 202.

[50] He was interested in "certain special activities of men, which can be stated, environment and all. That is our raw material. Our . . . fertile land ready for immediate use . . . is a good illustration. Given no increasing population, no improving transportation, that land would have little meaning. . . . Given a population of *different activities*, it would have a *different meaning*." *Ibid.*, p. 202. (my emphases)

[51] Generally, consult Carl G. Hempel, *Fundamentals of Concept Formation*, Vol. II, No. 7, of the *International Encyclopedia of Unified Science* (Chicago, 1952).

The goal of operational definition suggests its utility: the development of valid and reliable measures of phenomena as nominally defined. There are no easy answers to either validity or reliability: operations are mere conventions whose only test is consistent predictive utility. When a specific operation does not permit consistent prediction, there are three analytical possibilities. First, the nominal definition underlying the operation does not in fact identify a uni-dimensional and important (*i.e.*, predictively useful) aspect of reality. Second, the operation does not validly measure the empirical phenomena marked out by the nominal definition. Thus an operation may indiscriminately tap two or more dimensions of reality. Application of this operation would result in mixed results over replicatory studies, since (because of their independent character) two or more dimensions would not always co-vary. Third, the operation does not permit reliable observations of the same phenomena by the same observer at different times or by different observers at the same time. More than one of these possibilities may apply to any specific case of inconsistent prediction.

There is patently much room for developmental work implicit in these complex analytical possibilities. And all of them will be investigated many times in any problem area as its empirical theory moves toward greater comprehensiveness and fineness of prediction. This subtle process of intellectual advance stands in marked contrast to the "hard" concept of reality which Bentley often reflected. Moreover, polemics are not necessary to establish the point.[52]

VI

The skeleton of this analysis is simple. It has served to isolate a number of important component elements of Bentley's contribution; it has stressed the neglect of these components in the research literature; and it has outlined an avenue for future development.

Not much more can be said without being repetitious. Two points, however, require emphasis. First, political science and the social sciences generally are characterized by fantastic discontinuity—one of the unfortunate consequences (and causes) of the research fads which periodically sweep across them. This is the justification for my attempt here to build upon the work of Bentley and the many valuable empirical studies he induced. These studies constitute what might be called the "natural science" stage of the discipline. It is time to move along to the development of empirical theory, deriving from and improving upon the data and insights of this literature. The experience of other areas of scientific inquiry—suggested in the brief review of nominal and operational definition—certainly gives hope and direction for such an effort.

Second, there can be no methodological revolution. Like Newton, one can see only a little further. This is the sense of Bentley's position that the methodology of establishing reliable statements of the "group facts" must be developed "out of materials which in cruder forms are now available." Thus Bentley himself could go only part of the way toward inducing the theoretical and methodological innovations toward which he aspired. Fortunately, however, only small further innovations in method (if they imply much effort) are required to achieve a major research breakthrough in "the group theory," to push beyond what Bentley cannot be expected to have known and beyond his incomplete break with the restraints of the leading ideas of his time.

The time is ripe, in short, to leap to Bentley's shoulders with newly available knowledge; it is not a time to nip at his heels because he did not do what he did not intend to do.

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[52] For an analysis in depth of one concept, see my "Management Science and Behavior: Work-Unit Cohesiveness." (Unpublished Ms.)

THE "OPEN SOCIETY" AND ITS FALLACIES

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A little over 100 years ago John Stuart Mill wrote in his essay *On Liberty* that " . . . there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered."[1] The sentence from which this is taken is not *obiter:* Chapter Two of his book is devoted to arguments, putatively philosophical in character, which if they were sound would warrant precisely such a conclusion;[2] we have therefore every reason to assume that Mill meant by the sentence just what it says. The topic of Chapter Two is the entire "communications" process in civilized society ("advanced" society, as Mill puts it);[3] and the question he raises is whether there should be limitations on that process.[4] He treats that problem as the central problem of all civilized societies, the one to which all other problems are subordinate, because of the consequences, good or ill, that a society must bring upon itself according as it adopts this or that solution to it. And he has supreme confidence in the rightness of the solution he offers. Presumably to avoid all possible misunderstanding, he provides several alternative statements of it, each of which makes his intention abundantly clear, namely, that society must be so organized as to make that solution its supreme law. "Fullest," that is, absolute freedom of thought and speech, he asserts by clear implication[5] in the entire argument of the chapter, is not to be one of several competing goods society is to foster, one that on occasion might reasonably be sacrificed, in part at least, to the preservation of other goods; *i.e.*, he refuses to recognize any competing good in the name of which it can be limited. The silencing of dissenters on behalf of a received doctrine, of an accepted idea—this is an alternative statement—is *never* justified:[6] it can only do hurt, unwarranted hurt, alike to the person silenced, to the individual or group that silences, to the doctrine or idea on behalf of which the silencing is done, and to the society in the name of which the silencers silence.[7] The quotation I started with is, then, merely the strongest, the most intransigent, of several formulations of a general prescription he makes for advanced societies. We shall do well to examine it, phrase-by-phrase, before proceeding:

"There ought to exist"—*ought,* so that the prescription is put forward on ethical grounds —"the fullest liberty"—a liberty, *i.e.*, that no one (individual, group, government, even society as a whole) is entitled to interfere with— "of professing and discussing"—that is, of pubicly propagating—"as a matter of ethical conviction"—which, however, as any reader can quickly satisfy himself by re-examining Chapter II, is not intended to exclude other types of conviction, "intellectual" conviction for example—"any doctrine"—and "doctrine" is not intended to exclude, either, since he uses the term synonymously with "idea" and "opinion"; usually, indeed, he prefers the word "opinion"—"however immoral it may be considered"—where "immoral" also is used merely to cover what Mill considers the extreme case, the case in which, he supposes, people are least likely to refrain from silencing; and he would be equally willing, as the context shows, to write "however wrong," that is, "however incorrect," "however dangerous," "however foolish," or even "however harmful," and where "it may be considered" is recognizably shorthand for "it may be considered by anyone whomsoever."

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[1] *On Liberty and Considerations on Representative Government,* ed. R. B. McCallum (Oxford, 1946), p. 14 fn.

[2] That is approximately how Mill himself puts it: the words preceding what I have quoted are, "If the arguments of the present chapter are of any validity, . . . " The chapter is entitled "Of the Liberty of Thought and Discussion."

[3] *Cf. ibid.*, p. 9: " . . . we may leave out of consideration those backward states of society in which the race itself may be considered as in its nonage." The distinction seems to turn variously (*ibid.*) on whether "mankind have become capable of being improved by free and equal discussion" and whether they "have attained the capacity of being guided to their own improvement by conviction or persuasion." On the latter point he adds, perhaps a little optimistically: " . . . a period long since reached in all nations with whom we need here concern ourselves." *Cf. ibid.* p. 59, where he refers, astonishingly, to "the present low state of the human mind," that being the point he needs to establish the thesis there in question.

[4] Who should be permitted, in the fashionable jargon of the "communications" literature, "to say what, and to whom."

[5] Those who regard "absolute" as too strong a term to be deemed a synonym of "fullest" may wish to be reminded of the following passage (*ibid.*, p. 11): " . . . the appropriate region of human liberty . . . comprises . . . liberty of conscience in the most comprehensive sense: liberty of thought and feeling; *absolute* freedom of opinion and sentiment on all subjects, practical or speculative, scientific, moral, or theological. [And the] liberty of expressing and publishing opinions . . . is practically inseparable from [liberty of thought] . . . " (italics added). And *cf. ibid.*: "No society . . . is completely free in which [these liberties] . . . do not exist *absolute and unqualified*" (italics added).

[6] *Cf. ibid.*, p. 14: " . . . I deny the right of the people to exercise such coercion, either by themselves or their government. The power itself is illegitimate. The best government has no more title to it than the worst." The statement could hardly be more sweeping.

[7] Not to speak of "mankind." *Cf. ibid.*, pp. 14–15: " . . . the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; . . . those who dissent from the opinion, still more than those who hold it."

It is fashionable, these days, in part because of a fairly recent book by the scientist-philosopher K. R. Popper,[8] to call the kind of society Mill had in mind an "open society"—by at least implied contrast with a "closed" society, that is, an "hermetically sealed" society, in which Mill's grand principle is, by definition, *not* observed. And we are told, variously, by writers whom we may call (because they so call themselves) Liberals, that we have an open society and ought to protect it against the machinations of those who would like to close it; or that we have a closed society and ought, heeding Mill's arguments, to turn it forthwith into an open society; or that democracy, freedom, progress—any or all of them—must stand or fall, according as we maintain or inaugurate or return to an open society; or that all who are opposed to the idea of the open society are authoritarians, enemies of human freedom, totalitarians. We are told all this, however, at least in its application to civilized societies in general (as opposed to the United States in particular),[9] on grounds that have not varied perceptibly since Mill set them down in the *Essay*. We are still dealing, then, with Mill's issue; and we shall think more clearly about it, I believe, if we keep it stated as much as possible in his terms—for no subsequent pleader for the open society has possessed his clarity or vigor of mind—as follows: Ought there to exist in organized society—the United States, *e.g.*—that "fullest liberty of professing and discussing" that Mill argues for? On what theoretical grounds can that liberty be defended? Is openness of the kind Mill's society would possess one of the characteristics of the *good* society? Before attempting to deal with these questions, let me pause to clarify certain aspects of his position.

I

First, Mill must not be understood as saying, over-all, something *more* extravagant than he is actually saying. He is fully aware of the necessity for laws against libel and slander, and does not deem them inconsistent with his doctrine.[10] He is aware, also, of organized society's need to protect its younger members against certain forms of expression;[11] which is to say that his "fullest liberty of professing and discussing" is to obtain only among adults. Laws prohibiting, *e.g.*, the circulation of obscene literature amongst school-children, or, *e.g.*, utterance calculated to undermine the morals (however the society chooses to define morals) of a minor, are presumably not proscribed. Nor does the doctrine outlaw sanctions against incitement to crime[12]—provided, one must hasten to add, nothing political is involved (Mill would permit punishment for incitement to, *e.g.*, tyrannicide, only if it could be shown to have resulted in an overt act).[13]

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[8] K. R. Popper, *The Open Society and Its Enemies* (London, 1945), 2 vols. The term "open society" is of course much older (Bergson uses a distinction between "open" and "closed" society in *Les deux sources de la morale et de la religion,* though for a quite different purpose). Popper wedded the term "open society" to Mill's ideas, and the term "closed society" to those of his *bêtes noires,* Plato especially.

[9] The exception is necessary, because the American arguments are often based on the meaning of the Constitution of the United States, the First Amendment especially.

[10] *Cf. op. cit.*, p. 73: "Whenever, in short, there is a definite damage, or a definite risk of [definite?] damage, either to an individual or to the public, the case is taken out of the province of liberty, and placed in that of morality and law."

[11] *Cf. ibid.*, p. 72: " . . . protection against themselves is confessedly due to children and persons under age. . . . "

[12] *Cf. ibid.*, p. 49: " . . . even opinions lose their immunity when the circumstances in which they are expressed are such as to constitute their expression a positive instigation to some mischievous act." To this writer's mind a curious concession, which Mill ought *not* to have made. Once it is made, a society wishing to silence this or that form of persuasive utterance has only to declare the behavior it is calculated to produce a crime, and it may silence—with Mill's blessing.

[13] *Cf. ibid.*, p. 14 fn.

And, finally—a topic about which, as it seems to me, there is much confusion amongst commentators on Mill—he would permit the police to disperse a mob where a riot is clearly imminent, even if its shoutings did bear upon some political, social, or economic issue; but not, he makes abundantly clear, on grounds of any official exception to the doctrinal tendency of the shoutings. The individuals concerned would be free to resume their agitation the following morning.[14]

This is an important point because the passage in question, dealing with the mob at the corn-merchant's house, has given Mill an undeserved reputation for having been an adherent of the clear-and-present-danger doctrine as we know it today. We may perhaps clear it up best as follows. The situations covered by the clear and present danger doctrine, as applied, *e.g.*, to the Communist "threat," and by parallel doctrines in contemporary political theory,[15] are those in which Mill was *most* concerned to maintain absolute liberty of discussion—those situations, namely, in which the ideas being expressed have a tendency dangerous to the established political, social, or economic order. We must not, then, suppose his society to be one in which anarchists, or defenders of polygamy, for example, could be silenced because of the likelihood of their picking up supporters and, finally, winning the day; since for Mill the likelihood of their picking up supporters is merely a further reason for letting them speak. *All* utterance with a bearing on public policy—political, social or economic—is to be permitted, no matter what some members of society, even the majority, even all the members save some lonely dissenter,[16] may happen to think of it. Mill must, then, also not be understood as saying something *less* extravagant than he is actually saying.

Second, what is at issue for Mill is not merely unlimited freedom of speech (as just defined) but, as he makes abundantly clear, unlimited freedom of thought as well, *and* a way of life appropriate to their maintenance. To put it otherwise: when we elevate freedom of thought and speech to the position of society's highest good, it ceases to be merely freedom of thought and speech, and becomes—with respect to a great many important matters—the society's ultimate standard of *order*.

Mill did not dwell upon the inescapable implications of this aspect of his position; it has been left to his epigones, especially in the United States, to think the position out. The open society, they tell us repeatedly, *must* see to it that all doctrines start out equal in the market-place of ideas; for society to assign an advantaged position to these doctrines rather than those would be tantamount to suppressing those; society can, therefore, have no orthodoxy, no public truth, no standard, upon whose validity it is entitled to insist; outside its private homes, its churches, and perhaps its non-public schools, it therefore cannot indoctrinate; *all* questions are for it open questions, and must, publicly, be treated as open. If it has public schools and universities, it will be told (and with unexceptionable logic), these also must treat all questions as open—otherwise what happens to the freedom of thought and so, ultimately, to the freedom of speech of the student who might have thought differently had his teachers not treated some questions as closed? Even if in their hearts and souls all the members of the open society believe in a particular religion, or a particular church, each must nevertheless be careful in his public capacity to treat all religions and churches as equal, to treat dissent, when and as it occurs, as the peer of dogma, to treat the voodoo missionary from Cuba as on an equal plane with an Archbishop of his own church.[17] The open society's first duty (so its custodians will remind it, and if not those at home then those abroad)[18] is to freedom; and that means that it is *not* free to give public status to its beliefs, its standards, and its loyalties. Mill's disciples are completely faithful to the spirit of his thought when they insist that if we mean business about freedom, that is how it is going to have to be. The open society confers "freedom" upon its members; but it does so at the cost of its own freedom as a society.

Third, Mill denies the existence—that is to say, at any particular place and moment—not only of a public truth,[19] but of any truth whatever unless it be the truth of the denial itself. (Let us not press this last too far, however, lest it seem a mere "debater's" point; it is of course, the Achilles' heel of all skepticisms.) Reduced to its simplest terms, the argument of the *Essay* runs as follows: whenever and wherever men disagree about a teaching, a doctrine, an opinion, an idea, we have no way of knowing which party is correct; the man (or group) who moves to silence a teaching on the ground that it is incorrect attributes to himself a kind of knowledge (Mill says an "infallibility") that no one is ever entitled to claim short of (if then) the very case where the question is sure not to arise—that is, where there is unanimity, and so no temptation to silence to begin with. When, therefore, Mill's followers demand the elevation of skepticism to the status of a national religion, and the remaking of society in that image, they are not reading into his position something that is not there—for all that Mill himself, as I have intimated, preserves a discreet silence on the detailed institutional consequences of his position. They are, rather, only making specific applications of notions that, for Mill, are the point of departure for the entire discussion.

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[14] *Cf. ibid.*, p. 49.

[15] *E.g.*, the doctrine that enemies of liberty must not be permitted to take advantage of "civil liberties" in order to undermine and destroy them; or the doctrine that free society is entitled to interfere with free expression in order to perpetuate its own existence. Mill would certainly not have countenanced either doctrine.

[16] *Cf. ibid.*, p. 14: "If all mankind were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing all mankind."

[17] Who, after all, is to say which is right?

[18] As witness the sermons addressed by the New York press to the Trujillo regime.

[19] Except, we must remind ourselves, the public truth that there is no public truth.

The *basic* position, in fine, is not that society must have no public truth, no orthodoxy, no preferred doctrines, *because* it must have freedom of speech; but that it must not have them *for the same reason* that it must have freedom of speech, namely: because, in any given situation, no supposed truth has any proper claim to special treatment, and this in turn because it may turn out to be incorrect—nay, *will* turn out to be at least partially incorrect, since each competing idea is at most a partial truth. Nor is that all: Mill's freedom of speech doctrine is not merely derivative from a preliminary assault upon truth itself;[20] it is *inseparable from* that assault and cannot, I contend, be defended on any other ground. It is incompatible with religious, or any other, belief.

Fourth, Mill is not saying that no man must be silenced because every man has a "right" to freedom of speech. Consistent skeptic that he is, he warns us—and from an early moment—that he disclaims any advantage that might accrue to his argument from an appeal to abstract right; he is going to justify his position in terms of "utility," in terms of "the permanent interest of a man [*sic*] as a progressive being,"[21] whatever that may mean; and he sticks scrupulously to at least the first half of the promise throughout the *Essay*. This raises interesting questions as to (a) what Mill could have meant—whether indeed he means anything at all that people committed to the idea of abstract right might find intelligible—by such words as "ethical," "immoral," etc.; as to (b) the pains Mill takes, throughout his main argument, to reduce the question, "Should some types of expression be prohibited in civilized society because the ideas they express are wicked?" to the question, "Should some types of expression be prohibited because they are intellectually incorrect?"; and as to (c) the kind of moral fervor his followers have poured into the propagation of his views. Everything reduces itself for Mill to intellectual argument, where you either win or draw or lose by the sheer appeal to reason—which, for Mill, excludes *ex hypothesi* any appeal to revelation or authority, for that would merely precipitate an endless discussion as to the status, from the standpoint of reason, of revelation and authority.

The notion of a "right" to freedom of speech, a capacity on the part of every man to say what he pleases that society must respect, because he is *entitled* to it—of a right that men have to live in the kind of society that Mill projects—is a later development. It occurs in different countries for different reasons and under different auspices; but to the extent that it is intended seriously it represents a complete break with Mill. Those who appeal to such a notion therefore have in his own shrewd example a warning that they must not attempt to do so on his grounds;[22] and much current confusion about the open society would be avoided if they would but take the warning to heart. In short, if we are going to speak of a *right* to freedom of speech, a *right* to live in an open society, we are going to have to justify it with arguments of a different character from Mill's, and so move the discussion onto a plane entirely different from Mill's. We are, above all, going to have to subordinate what we have to say to certain rules of discourse from which Mill, by his own fiat, is happily free. For any such right is inconceivable save as one component of a system or complex of rights, that mutually limit and determine one another and are meaningless save as they are deemed subject to the general proposition that we are not entitled to the exercise of *any* right unless we discharge the duties correlative to that right. Once we begin to argue from premises of that sort we shall begin to talk sense, not non-sense, about freedom of speech and the open society. And the essence of the sense, I hasten to add, will be found to lie in the fact that we are no longer driving the roots of our doctrine into the soil of skepticism, because (as I have suggested already) once we speak of a right[23] we have already ceased to be skeptics. And nothing is more certain than that we shall come out with something quite different from Popper's conception of the open society.

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[20] *Ibid., passim.*

[21] *Ibid.*, p. 9.

[22] We must distinguish here between a "natural" or "ethical" "right" to freedom of expression and a mere constitutional right. The case for the latter could of course be rested upon Mill's grounds, insofar as they are valid.

Fifth, Mill was fully aware (as his disciples seem not to be) both of the novelty and of the revolutionary character of his proposal for a society organized around the notion of freedom of speech. Just as he deliberately cuts himself off from any appeal to the notion of abstract right, so does he cut himself off from any appeal to tradition. Not only had no one ever before taught his doctrine concerning freedom of speech. No one had ever taught a doctrine even remotely like his. No one, indeed, had ever discussed such a doctrine even as a matter of speculative fancy.[24] Hardly less than Machiavelli, and more than Hobbes, Mill is in full rebellion against both religion and philosophy, and so in full rebellion also against the traditional society that embodies them.[25] Hardly less than Machiavelli, he conceives himself a "new prince in a new state,"[26] obliged to destroy what has preceded him so that he may create what he feels stirring within him.[27] Hardly less than Machiavelli, again, he is a teacher of *evil:* all truths that have preceded his are (as we have noted in passing above) at most partial truths, and enjoy even that status only because Mill confers it upon them.[28] To reverse a famous phrase, Mill thinks of himself as standing not upon the shoulders of giants but of pygmies. He appeals to no earlier teacher,[29] identifies himself with nothing out of the past; and his doctrine of freedom of speech is, as I have intimated already, the unavoidable logical consequence of the denials from which his thought moves. Not, however, because it is in fact to be the public policy of the society he will found, not because it is to govern his followers' actions with respect to the freedom of thought of others, but because it is the perfect weapon—perfect because of its alleged connection with the quest for truth—to turn upon the traditional society that he must overthrow. For he who would destroy a society must first destroy the public truth it conceives itself as embodying; and Mill's doctrine of freedom of speech, to the extent that it gets itself accepted publicly, does precisely that. I do not, I repeat, believe it can be separated from the evil teaching that underlies it; and nothing could be more astonishing than the incidence of persons amongst us who because of their religious commitments must repudiate the evil teaching, yet continue to embrace the doctrine.

Sixth, Mill's most daring *démarche* in the *Essay* (and Popper's in the *Open Society and Its Enemies*) is that of confronting the reader with a series of false dilemmas: unlimited freedom of speech or all-out thought-control; the open society or the closed society; etc. I say "false" for two reasons: first, because unlimited freedom of speech and the open society are not real alternatives at all, as I hope shortly to show. And second, because the dilemmas as posed conceal the real choices available to us, which are always choices as to how-open-how-closed our society is to be, and thus not choices between two possibilities but choices among an infinite range of possibilities. Mill would have us choose between never silencing and declaring ourselves infallible, as Popper would have us believe that a society cannot be a little bit closed, any more than a woman can be a little bit pregnant. All our knowledge of politics bids us not to fall into that trap. Nobody wants all-out thought-control or the closed society; and nobody has any business pretending that somebody else wants them. For the real question is, how open can a society be and still remain open at all? Or, to put it differently, is there any surer prescription for arriving, willy nilly, in spite of ourselves, at the closed society, than is involved in current pleas for the open society?

II

That brings me to the central business of this article, which I may put as follows. Let us adjourn objections to open society doctrines on the ground that they are rooted in demonstrably evil teachings. Let us also suppose, *arguendo*, that we have organized a society in accordance with Mill's prescriptions, and for Mill's reasons. Have we then cause to suppose, as Mill thinks, that we shall end up forwarding the interests of truth? In other words, Mill offers us not only an exhortation but a prediction, and we wish merely to know what would in fact happen if we did what he tells us to do.

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[23] Again, we must except the merely constitutional right.

[24] Plato, of course, contemplates a freedom of speech *situation* in Book IX of the *Republic;* but merely to show that it can result only in disaster.

[25] *Cf.* Leo Strauss, *Thoughts on Machiavelli* (Glencoe, 1958), ch. 4, *passim.*

[26] *Cf. ibid.*, p. 9.

[27] *Cf. ibid.*, ch. 2, *passim.*

[28] *Cf. op. cit.*, pp. 42–46.

[29] That he had broken sharply with his father and with Bentham is, I take it, a commonplace.

My contention will be that, once the question is put in that way,[30] we run up against some insuperable objections to his prescriptions in and of themselves—objections, moreover, that remain equally valid even if one starts out, unlike Mill, from a supposed "right," whether natural or constitutional, to freedom of speech. I shall argue the objections in a logical order such that if each in turn were overcome the remaining ones would still stand.

Mill's proposals have as one of their tacit premises a false conception of the nature of society, and are, therefore, unrealistic on their face. They assume that society is, so to speak, a *debating club* devoted above all to the pursuit of truth, and capable therefore of subordinating itself—and all other considerations, goods, and goals—to that pursuit. Otherwise, the proposals would go no further than to urge upon society the common-sense view that the pursuit of truth is *one* of the goods it ought to cherish (even perhaps that one which it is most likely, in the press of other matters, to fail to make sufficient provision for); that it will neglect this good only at its own peril (a point that could easily be demonstrated); and that, accordingly, it should give hard and careful thought to what kind of provision it can make for it without disrupting unduly the pursuit of other goods. But we know only too well that society is *not* a debating club—all our experience of society drives the point home—and that, even if it were one, like the UN General Assembly, say, the chances of its adopting the pursuit of truth as its supreme good are negligible. Societies, alike by definition and by the teaching of history, cherish a whole series of goods—among others, their own self-preservation, the *living* of the truth they believe themselves to embody already, and the communication of that truth (pretty much intact, moreover) to future generations, their religion, etc. —which they are not only likely to value as much as or more than the pursuit of truth, but *ought* to value as much as or more than the pursuit of truth, because these are *preconditions* of the pursuit of truth.

To put it a little differently, the proposals misconceive the strategic problem, over against organized society, of those individuals who *do* value the pursuit of truth above all other things. That strategic problem we may state as follows: *fortunate* that society that has even a small handful—a "select minority," in Ortega y Gasset's phrase—of persons who value the pursuit of truth in the way in which Mill imagines a society valuing it. *Fortunate* that select minority in such a society, if it can prevail upon the society to provide it with the leisure and resources with which to engage in the pursuit of truth; or, failing that, at least not to stand in the way of its pursuit of truth. And *wise* that society whose decision-makers see deeply enough into things to provide that select minority—even in the context of guarantees against its abusing its privileges—the leisure and the resources it needs for the pursuit of truth. To ask more than that of society, to ask that it give that select minority freedom to treat publicly all questions as open questions, as open not only for itself in the course of its discharge of its own peculiar function but for everybody, is Utopian in the worst sense of the word; and so, certain to defeat the very purpose the asking is intended to serve. By asking for all, even assuming that all to be desirable, we imperil our chances of getting that little we might have got had we asked only for that little.

If we nevertheless waive that objection, we confront another, namely, that the proposals have as a further tacit premise a false conception of human beings, and how they act in organized society. Concretely, Mill not only assumes that speech (the professing and discussing of any doctrine, however immoral) is incapable of doing hurt in society. (He has to assume this, since he calls for non-interference with speech, while the overriding principle of the *Essay* is that society is always entitled to interfere in order to prevent hurt, whether to itself or to its individual members.) This is disturbing enough: Socrates, we recall, taught otherwise, namely, that he who teaches my neighbor evil does *me* hurt. But Mill also assumes (else again his proposal is romantic) that people can be persuaded either to *be* indifferent toward the possible tendency of what their neighbors are saying, or at least to *act* as if they were indifferent. We know nothing about people, I suggest, that warrants our regarding such an assumption, once it is brought out into the open, as valid. Thus his proposals, like all political proposals that call implicitly for the refashioning of human nature, can be enforced only through some large-scale institutional coercion. And I believe it to be this consideration, above all, that explains the failure of Mill's followers, to date, to persuade any organized society to adopt his proposals. We have no experience of unlimited freedom of speech as Mill defines it, of the open society as Popper defines it, unless, after a fashion and for a brief moment, in Weimar Germany—an experience no organized society will be eager to repeat.

Let us now turn to still another objection. I contend that such a society will become *intol-*

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[30] *I.e.*, as a problem for "empirical" political theory.

erant, one in which the pursuit of truth can only come to a halt. Whatever the private convictions of the society's individual members concerning what Plato teaches us to call the important things (that is, the things with which truth is primarily concerned), the society itself is now, by definition, dedicated to a national religion of skepticism, to the suspension of judgment as *the* exercise of judgment *par excellence.* It can, to be sure, tolerate all expression of opinion that is predicated upon its own view of truth; but what is it to do with the man who steps forward to urge an opinion, to conduct an inquiry, *not* predicated on that view? What is it to do with the man who, with every syllable of faith he utters, challenges the very foundations of skeptical society? What can it say to him except, "Sir, you cannot enter into our discussions, because you and we have no common premises from which discussion between us can be initiated?" What can it do, in a word, but silence him, and look on helplessly as within its own bosom the opinions about the important things descend into an ever greater conforming dullness? Nor—unlike traditional society, which did *not* regard all questions as open questions—need it hesitate to silence him. The proposition that all opinions are equally—and hence infinitely—valuable, said to be the unavoidable inference from the proposition that all opinions are equal, is only one—and perhaps the less likely—of two possible inferences, the other being: all opinions are equally—and hence infinitely—*without* value, so what difference does it make if one, particularly one not our own, gets suppressed?[31] This we may fairly call the central paradox of the theory o freedom of speech. In order to practice tolerance on behalf of the pursuit of truth, yo have first to value and believe in not merel the pursuit of truth but Truth itself, with al its accumulated riches to date. The all-questions-are-open-questions society cannot d that; it cannot, therefore, practice toleranc towards those who disagree with it. It mus persecute—and so, on its very own showing arrest the pursuit of truth.

I next contend that such a society as Mil prescribed will descend ineluctably into ever deepening *differences of opinion,* into progressive breakdown of those common premise upon which alone a society can conduct it affairs by discussion, and so into the abandonment of the discussion process and the arbitrament of public questions by violence and civi war. This is the phenomenon—we may call i the dispersal of opinion—to which Rousseau our greatest modern theorist of the problem recurred again and again in his writings.[32] Th all-questions-are-open-questions society canno endeavor to arrest it, by giving preferred statu to certain opinions and, at the margin, mobilizing itself internally for their defense; for b definition it places a *premium* upon dispersio by inviting irresponsible speculation and irresponsible utterance. As time passes, moreover, the extremes of opinion will—as they did in Weimar—grow further and further apart, so that (for the reason noted above) their bearers can less and less tolerate even the thought of one another, still less one another's presence in society. And again the ultimate loser is the pursuit of truth.

Still another tacit premise of the proposals is the extraordinary notion that the discussion process, which correctly understood does indeed forward the pursuit of truth, and does indeed call for *free* discussion, is one and the same thing with Mill's unlimited freedom of speech. They rest, in consequence, upon a false conception of the discussion process. What they will produce is not truth but rather only deafning noise and demoralizing confusion. For he essence of Mill's freedom of speech is the ivorce of the right to speak *from* the duties orrelative to the right; the right to speak is a ight to speak *ad nauseam*, and with impunity. t is shot through and through with the egaliarian overtones of the French Revolution, which are as different from the measured arisocratic overtones of the pursuit of truth by discussion, as understood by the tradition Mill was attacking, as philosophy is different from phosphorus.

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[31] *Cf.* Bertrand de Jouvenel, *On Sovereignty* (Chicago: 1957), p. 288: "One of the strangest intellectual illusions of the nineteenth century was the idea that toleration could be ensured by moral relativism. . . . The relativist tells us that the man professing opinion A ought to respect opinion B, because his own opinion A has no more intrinsic value than B. But in that case B has no more than A. Attempts to impose either would be attempts to impose what had no intrinsic value; but also suppression of either would be suppression of what had no intrinsic value. And in that case there is no crime . . . in the suppression of contrary opinions." On equality of opinions in Mill, see note 16 *supra.* On the progress in Mill from "equally valuable" to "equally and infinitely valuable," *cf. op. cit.*, p. 46: " . . . truth has no chance but in proportion as every side of it, every opinion which embodies any fraction of the truth, not only finds advocates, but is so advocated as to be listened to." And the presumption, he insists, is that every opinion *does* contain some fraction of the truth: " . . . it is always probable that dissentients have something worth hearing . . . and that truth would lose something by their silence" (p. 42).

[32] See *Social Contract,* IV, i., as also *The Discourse on the Sciences and Arts, passim,* and Rousseau's famous letter of 1767 to the Marquis of Mirabeau. *Cf.* de Jouvenel, *op. cit.*, p. 286: "The whole of [Rousseau's] . . . large stock of political wisdom consists in contrasting the dispersion of feelings in a people morally disintegrated by the progress of the 'sciences and arts,' with the natural unity of a people in which dissociation has not occurred." As de Jouvenel notes (p. 287), Rousseau, though himself a Protestant, deplored the introduction of Protestantism into France, and on these grounds.

Of the latter point we may sufficiently satisfy ourselves, it seems to me, by recalling how the discussion process works in those situations in which men who are products of the tradition organize themselves for a serious venture in the pursuit of truth—as they do in, say, a branch of scholarship, an academic *discipline*, and the community of truth-seekers corresponding to t.[33]

Such men demonstrably proceed on some such principles as these: (a) The pursuit of truth is indeed forwarded by the exchange of opinions and ideas among many; helpful suggestions do indeed emerge sometimes from surprising quarters; but one does not leap from these facts to the conclusion that helpful suggestions may come from just anybody. (b) The man or woman who wishes to exercise the right to be heard has a logically and temporally prior obligation to *prepare* himself for participation in the exchange, and to prepare himself in the manner defined by the community. Moreover (c), from the moment he begins to participate in the exchange, he must make manifest, by his behavior, his sense of the duty to act as if the other participants had something to teach him—the duty, in a word, to see to it that the exchange goes forward in an atmosphere of courtesy and mutual self-respect. Next (d), the entrant must so behave as to show that he understands that scholarly investigation did not begin with his appearance on the scene, that there is a strong presumption that prior investigators have not labored entirely in vain, and that the community is the custodian of—let us not sidestep the *mot juste*—an *orthodoxy*, no part of which it is going to set lightly to one side. (e) That orthodoxy must be understood as concerning first and foremost the frame of reference within which the exchange of ideas and opinions is to go forward. That frame of reference is, to be sure, subject to change, but this is a matter of meeting the arguments that led originally to its adoption, and meeting them in recognition that the ultimate decision, as to whether or not to change it, lies with the community. (f) The entrant, insofar as he wishes to challenge the orthodoxy, must expect barriers to be placed in his way, and must not be astonished if he is punished, at least in the short term, by what are fashionably called "deprivations"; he must, indeed, recognize that the barriers and the deprivations are a necessary part of the organized procedure by which truth is pursued. (g) Access to the channels of communication that represent the community's central ritual (the learned journals, that is to say) is something that the entrant wins by performing the obligation to produce a craftsmanlike piece of work. (h) The ultimate fate of the entrant who disagrees with the orthodoxy but cannot persuade the community to accept his point of view is, quite simply, isolation within or banishment from the community.

No suggestion is made that this is a complete statement of the rules as we see them operating about us in the scholarly disciplines, or that the particular forms of words employed are the happiest, or most accurate, that could be found. They do, however, seem to me to suggest the broad outlines of the paradigm of the free discussion process as it goes forward in an academic community, and to drive home its differences from the freedom of speech process as Mill defines it. Nor, I think, could anything be more obvious than the answer to the question, which of the two is the more likely to forward the pursuit of truth? But this is not all. *The* point about Mill's model is that by giving equal privileges to those who are in fact opposed to or ignorant of the discussion process, it constitutes a major onslaught against Truth. The two paradigms are not only different, but incompatible.

It would not be easy, of course, to transfer the rules of the discussion process set forth here to the public forum of a society; nor is there any point in denying that the transfer would involve our openly conceding to society far greater powers, particularly as regards silencing the ill-mannered, the ignorant, the irrelevant, than it would ever enjoy under Mill's prescription. Here, however, two things must be kept in mind. First (however reluctant we may be to admit it), that society always has, and constantly exercises, the power to silence. And second, that no society is likely, within the foreseeable future, to remake itself in the image of either of the two paradigms. The question, always, is that of which of the two we accept as the ideal toward which we try to move. That is the real issue at stake between the proponents and opponents of the "open society."

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[33] A similar point might be developed over the difference between Mill's freedom of speech and the free discussion of the traditional American town-meeting.

COMMUNICATION

LERNER ON KNIGHT

To the editor:

May I object publicly to the review by Daniel Lerner of Everett Knight, *The Objective Society* in the September, 1960 issue of the Review?

Lerner prepares the ground by giving a large part of his review to showing how philosophers have supposedly lost their function to empirical scientists in modern times. Then, after a sketch of what Knight is angry about, Lerner moves in to the kill, asserting "Knight's argument reposes upon the transparent fallacy of systematic double-dealing with the ambiguous term 'objectivity.' Scientific objectivity is neither identical nor coterminous with political impartiality; nor is one a necessary condition of the other. . . . Knight systematically, I suspect deliberately, ignores the differences between criteria of accurate analysis and effective action."

Perhaps Lerner and I have not read the same book. If we have, it is Lerner who deserves the accusation of bad faith, not Knight.

The key argument of *The Objective Society*, as I understand it, is that the whole notion of scientific objectivity makes no sense. This notion, Knight holds, rests on the metaphysical assumption of a "ready-made world full of labeled objects" (p. 88). Knight questions "the hidden postulate of all of classical epistemology—the supposition that the world *precedes* our consciousness of it" (p. 90, italics in original). In place of the traditional view Knight argues that "reality [is] not . . . something we discover but something . . . we creat in the sense of attaching significance to" (p 116). Or again "the basic phenomenon [i acquiring knowledge] is 'orientation,' not discovery" (p. 118).

Thus Knight does not engage in "systematic double-dealing" with the notion of objectivity. He simply denies that it exists o can exist. In the place of objective or fina Truth, Knight is trying to place an endles series of limited perspectives, each one partl the product of collective human experience but also very much the outcome of deliberat choice on the part of the intellectual. If ther can be no such thing as objectivity at all, then Lerner's distinction between scientific objectivity and political impartiality makes no mor sense than the distinction between a centau and a mermaid would to an empirical biologist.

One may disagree with Knight's position, as I do, at any rate in this extreme version of subjectivism. But at the very least a reviewer in a professional journal can be expected to argue against an author's real point, without attributing to him something he did not say and accusing him of deliberate bad faith to boot. To end the review, as Lerner does, with a patronizing pat on the head—"Knight is worth reading . . . rare and refreshing"—helps matters not in the least.

Barrington Moore, Jr.

Harvard University

NOTE FOR THE GOOD OF THE ORDER

SAFEGUARDS FOR ACADEMIC FREEDOM AT PRINCETON

HAROLD STEIN
Princeton University

In the long development of democracy, legal afeguards for individuals are usually established only in times of crisis or after grave disatisfaction with the procedure employed in a particular case. Fortunately, in either instance, when the safeguard is given legal sanction, it is likely to continue in effect so that a cumulative body of protections is established. And in ome rather unusual cases, civil rights and liberties broadly construed are guaranteed by an act of prescience: our Bill of Rights is an admirable example of the value of forethought.

During the past half century, Princeton University has established a substantial corpus of ules to protect academic freedom, twice because of dissatisfaction with the treatment of ndividual cases, once in response to crisis, once as an act of conscious foresight. The following brief report is submitted in the hope that some of Princeton's developments may serve as useul suggestions to its sister universities.

Princeton University has been singularly though certainly not entirely free of periods of crisis and of important and distressing academic freedom cases for the last half century. Its tradition of academic freedom goes at east as far back as the latter years of the 19th Century, but its first formal adoption of a rule did not come until 1918.

The year 1918 was a year of crisis. Across the face of the land, our universities and coleges reacted in a variety of ways, most frequently in the form of resolutions or rules that rested on a demand for full support of the prosecution of the war and that frequently led to exclusions and dismissals from faculty and student body. Princeton, too, was moved in this way and on June 5, 1918 the Faculty adopted such a resolution.[1] Fortunately, Princeton also demonstrated another response to the crisis, of a very different character, and with permanent rather than ephemeral effect.

The second response also took the form of a Faculty resolution, passed at a special meeting, on June 12, 1918, only one week after the first resolution. The new resolution was given a formal legal base when it was adopted by the Trustees on June 15. It was not designed to exclude persons from the faculty and student body, but to protect the tenure rights of Faculty members.

This, like the exclusion resolution, was adopted only after investigation, consideration, and recommendation by a committee of the Faculty. The problem of protecting tenure rights had first been raised in January by the Faculty Committee on Conference. Taking the form of a rule for an appeals procedure in cases of dismissal of faculty members, it was discussed at length with the Trustees' Committee on the Curriculum, considered at meetings of both Trustees and Faculty and, naturally, properly revised by the University Counsel; finally, in revised form, adopted by the two bodies.

The Committee on Conference was, and still is, an elective standing committee of the faculty, whose principal function is to attend a conference with the Trustees' Committee on the Curriculum four times a year "to discuss such subjects as may be presented involving both administrative and educational matters."

So far as the records show, so far as the memory of man can tell us, the question of dismissal procedure was raised by the Committee on Conference not because of any dismissal case, and certainly not in reaction to the resolution of June 5, but, as was remarked at the time by the University Counsel, because of the existence "of a spirit of unrest in academic circles;" whatever the reason, the new dismissal rule was set forth in a Trustees' Minute dated June 15, 1918, which is now embodied in the Faculty's *Rules and Procedures*, and reads as follows:

Dismissal

Without either limiting or abrogating any of the powers, duties, or privileges granted by the Charter to the Board of Trustees, or intending to make any change in the policy which it has followed for many years of upholding the security of academic tenure, the Board of Trustees hereby declares that it is its intention, in case a proposal is brought before it to dismiss from the University a professor, associate professor, or assistant professor, to proceed as follows:

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[1] The text of the resolution read: No student shall be admitted into the University for instruction and education and no person shall be appointed to any place or office who does not sympathize with our Government's purpose in the prosecution of the war.

The President of the University is hereby empowered and directed to put this ordinance into execution.

> Before a professor, associate professor, or assistant professor is removed from his professorship for cause, he shall receive a statement in writing of the reasons for the proposed removal and shall be entitled, if he wishes it, to a hearing before the Conference Committee of the Faculty. The Committee, after considering the case, shall report its opinion, with a full statement of the reasons, to the Trustees. Before final action is taken by the Board, a committee thereof shall meet with the Conference Committee to discuss the report, at which meeting the professor shall again have a right to appear and be heard.

The rule was clear and eminently just, but it covered only certain portions of the academic community and it was applicable only to dismissal cases. It should be noted that the Trustees took pains to point out that this was not the beginning of academic freedom in the university.

More than thirty years later another academic freedom issue arose that concerned suspension. This time there was indeed a specific case. It happened that the case was settled finally in a manner satisfactory to all concerned but the University Faculty, Administration, and Trustees all agreed that the lack of a formal appellate procedure in such cases was at best embarrassing and disturbing to both the University and the professor and at worst grossly unfair or unwise. Again with collaborative action by committees of the two bodies, a procedure was duly approved by both Faculty and Trustees. The Trustees' Minute dated April 19, 1951, and now incorporated in the *Rules and Procedures*, reads as follows:

> *Suspension*
>
> Without limiting or abrogating any of the powers, duties, and privileges granted by the Charter to the Board of Trustees, and without restricting the right of suspension in the first instance residing in the President, the Board of Trustees declares that it is its intention, in case of suspension of a member of the Faculty by the President, to proceed as follows:
>
> In the event that a professor, an associate professor, or an assistant professor be suspended from his professorship, he shall receive a statement in writing of the reasons for the action and shall be entitled, if he so desires, to a hearing before the Conference Committee of the Faculty. The Committee, after considering the case, shall report its opinion, with a full statement of the reasons, to the President. If the President decides to continue the suspension, he shall report his decision, with a full statement of reasons, and with copy of the Conference Committee's report, t the Trustees. Unless the Board thereupon decide to terminate the suspension, a committee there shall meet with the Conference Committee to di cuss its opinion, shall give the Faculty member a opportunity to appear and be heard at such mee ing, and shall report its opinion to the Board.

The rule is essentially self-explanatory. It modelled on the dismissal rule and differs onl in adding "suspension" as an action requirin the protection of academic freedom and i modifying the procedural steps to make the fit the relevant fact that the dismissal powe lay solely with the Trustees while the Presiden possessed the power of "suspension in the firs instance."

The third, and by far the most drasti change, came in 1959. Again, amendment wa initiated, in part, by a troublesome case i which the issue lay in the rights of an ind vidual who had been offered an appointmen to the Faculty informally, and whose offer wa withdrawn prior to formal action by the Trustees. But in this instance the amendment covered far more than this special kind of academic freedom issue, for by a fortunate accident at this particular moment another standing elective committee of the faculty, the Advisory Committee on Policy,[2] was examinin the structure, membership and functions of a faculty committees. In consequence, when thi Committee started its consideration of th functions of the Committee on Conference, i was affected by a desire to provide some kin of appellate procedure for dealing with cases o withdrawn offers of employment. It soon, an most wisely, decided to present proposals tha would cover *any* case of academic freedom an would protect *any* member of the academi community. The Advisory Committee o Policy proceeded, as had its predecessors, i full consultation and cooperation with th Trustees' Committee on the Curriculum an with the President and other members of th administration. Its report and recommendations were fully discussed by the Faculty and slightly modified by certain technical amendments, were unanimously approved at a second meeting of the Faculty on May 4, 1959 The substance thereof was approved and give the necessary legal standing in a Minute o the Trustees dated June 15, 1959.

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[2] The chairman of this committee in the yea 1958–1959 was Professor William J. Baumol wh was of great assistance to me in the preparation o this article.

The Advisory Committee on Policy had decided, as has been indicated, while extending the duties of the Committee on Conference, that the absence of any substantial current or prospective academic freedom issue did not justify inattention to the general rules and procedures designed to protect academic freedom. For despite the best intentions of an academic administration and the Trustees of the institution, it is inevitable that there will from time to time arise cases in which new issues of academic freedom or tenure or appointment are involved. After such a case has been settled it is perhaps easy to write legislation which will prevent its repetition, but, unfortunately, the next issue to arise may well be of a totally different and unforeseen variety. This is unfortunate both for the people involved who are not fully protected by the rules and procedures of the faculty as they stand, and also for the university administration, because, lacking standardized procedures, it may well act either too hastily or too hesitantly, and with uncertainties about the established rights of the individual and the University. The 1959 action at Princeton undertook to deal with this problem by writing a piece of legislation whose coverage was as broad as possible.

The new rules, now incorporated in the *Rules and Procedures* under the heading "Academic Status and Privileges," read as follows:

> Without limiting or abrogating any of the powers, duties, and privileges granted by the Charter to the Board of Trustees, and without restricting the powers delegated to the President regarding academic appointments, but recognizing the desire of the Faculty that the Faculty Committee on Conference should extend its role to conduct hearings not only on cases of dismissal and suspension (as provided by the Minutes of the Board of Trustees of June 15, 1918, and April 19, 1951) but also on cases of possible unfair treatment in relation to the appointment, reappointment, or academic duties or privileges of academic personnel, the Board of Trustees declares its approval of the charge and procedures in respect to these matters which were voted for the Committee on Conference by the Faculty in its meeting of May 4, 1959.
>
> The Board of Trustees further declares that, when requested by the Committee on Conference and so determined by the Board, a subcommittee of the Board shall meet with that Committee on questions of possible unfair practice relative to academic status and privileges to discuss the Committee's opinion, shall give the aggrieved person an opportunity to appear and be heard at such a meeting, and shall report its opinion to the Board.

More details are provided by the amendment of the rules governing the functions of the Committee on Conference which reads as follows:

> If a case arises involving the dismissal or the suspension of a member of the Faculty, or any question of unfair treatment in relation to the appointment, reappointment, or academic duties or privileges of a member of the Faculty or anyone to whom an offer of a Faculty appointment has been made, the Committee on Conference may be called upon to act as a board of review as provided for by the Minutes of the Board of Trustees on June 15, 1918, and April 19, 1951. The Committee on Conference is also available for consultation in similar cases involving other persons on academic appointments.
>
> Procedure in cases of dismissal and suspension is outlined [above]. In other cases, appeal can be made directly to the Committee on Conference by individuals directly affected; a statement of grievance must be made in writing and a copy submitted to the Dean of the Faculty.

The new rules have two striking features:

(1) The old rules provided appellate procedures only for professors, associate professors and assistant professors. Under the new rules the appellate procedures are equally available to all members of the university's academic community. Thus protection now applies not only to the three traditional ranks but also to instructors, lecturers, research associates, research assistants, and any others who are paid either for teaching, or for research, or for both, and even those not yet members of the faculty to whom an offer of a Faculty appointment has been made.

(2) The new rules, while protecting "academic freedom," construe it to include means of protecting tenure or other expectancies of employment and status. The extension in 1959, while one of degree, was significant, not only by extending coverage to the whole academic community, but also by including any grievance with respect to appointment, reappointment, offer of appointment, status, or privileges. It is assumed that grievances about rate of pay or promotion are still, in first instance at least, to be heard by the Faculty's Advisory Committee on Appointments and Advancements; but appellate jurisdiction of the Committee on Conference now covers grievances with respect to salary and promotion as well as all other types of grievances under the very broad interpretation now given to the term.

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BIBLIOGRAPHICAL ARTICLE

SELECTED BIBLIOGRAPHY OF SOVIET WORKS ON THE UNITED NATIONS, 1946–1959*

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The extensive participation of the Soviet Union in the various organs of the United Nations contrasts vividly with the dearth of serious writings by Soviet scholars on this aspect of Soviet international relations. Attempts to explain this phenomenon usually reach the conclusion that Soviet leaders do not consider the United Nations important for the attainment of Soviet foreign policy objectives, that they participate primarily out of a desire to exploit the U.N. for propaganda purposes.[1] However, the continued Soviet concern with all the major issues which have come before the United Nations belies so simple an explanation, especially since the Soviets have shown an increasing willingness since 1954 to participate actively in specialized agencies and regional economic commissions, particularly those important to the underdeveloped countries. In fact, there has been a growing, though still small, Soviet periodical literature. A general review, therefore, of the principal Soviet publications on the United Nations—the extent of the coverage, the changing areas of emphasis, and the quality of the writings—may prove of value to students of international affairs.[2]

I. GENERAL WORKS

Few general studies on the United Nations were published during the Stalinist period; certainly, there were no major analytical works —articles, monographs, or books—which could be regarded as serious efforts to appraise the activities and purposes of the U.N. The few published materials were either polemical in character or brief reportorial pieces.

B. E. Shtein delivered a lecture before the All-Union Committee for Higher Education on March 1, 1946 which was subsequently published as a pamphlet: *Pervaia Sessiia Organizatsii Ob'edinennykh Natsii* [The First Session of the United Nations] (Moscow, 1946), 27 pp.; Ia. Segal' wrote "The International Organization of Security" in *Mirovoe Khoziaistvo i Mirovaia Politika* (March 1946) on the establishment of the United Nations and its early work; Andrei Y. Vyshinsky contributed a report on the second session of the General Assembly (September 16–November 29, 1947), entitled "International Law and International Organization," to the January 1948 issue of *Sovetskoe Gosudarstvo i Pravo*; S. B. Krylov edited a documentary history of the U.N.: *Materialy k Istorii Organizatsii Ob'edinennykh Natsii* [Materials for the History of the United Nations] (Moscow, 1949), 343 pp.; he also contributed an article, "J. V. Stalin on the International Organization of Peace and Security," in the 1950 issue of *Ucheniye Zapiskii* (Moscow); finally, an article by G. P. Zadorozhnyi in the February 1951 issue of *Sovetskoe Gosudarstvo i Pravo* condemned the United Nations as an instrument serving the aggressive purposes of the Western bloc. None of these works could be called illuminating or sophisticated. The pervasive East-West antagonism was reflected in all Soviet writings on the U.N. during this period.

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[1] For example, the Soviet Government established an Association for Assistance to the United Nations in the spring of 1956, ostensibly to promote an understanding of the United Nations among the Soviet people. However, there is virtually nothing published in the Soviet press or periodical literature on the organization's operations; nor, indeed, does it seem to have any purpose other than to impress visiting foreign delegations.

[2] This selected bibliography will not include Russian works dealing specifically with problems of international law, disarmament, or the obvious political questions raised in the General Assembly and Security Council, nor with matters clearly polemical or propagandistic in character, *e.g.*, discussions arising out of the Korean, Arab-Israeli or Hungarian questions. An excellent bibliographical reference work on these and related areas was published in Moscow in 1959: *Sovetskaia Literatura po Mezhdunarodnomu pravu: Bibliografiia, 1917–1957* (Soviet Literature on International Law: Bibliography, 1917–1957).

The Russian periodicals cited in this article are listed below, with their Russian titles and their English translations; only the Russian titles will be given in the text of the article. Russian titles and their English translations will be given when reference is made to monographs and books. *Atomnaia Energiia* (*Atomic Energy*); *Mezhdunarodnaia Zhizn'* (*International Affairs*, a valuable monthly also published in English); *Mirovaia Ekonomika I Mezhdunarodnye Otnosheniia* (*World Economics and International Relations*); *Mirovaia Khoziaistvo i Mirovaia Politika* (*World Economics and World Politics*); *Planovoye Khoziaistvo* (*Planned Economy*); *Sovetskoe Gosudarstvo i Pravo* (*Soviet Government and Law*); *Vneshniaia Torgovlia* (*Foreign Trade*); *Voprosy Ekonomiki* (*Problems of Economics*).

Useful articles occasionally appear in *New Times*, a weekly published in English. However, since they are readily available no attempt has been made to include them in this essay. Finally, no attempt has been made to cite Soviet sources publishing the speeches of Soviet delegates to the United Nations, since these speeches are available in U. N. records.

A turning point for general Soviet works on the United Nations came in 1955. Not only was there an increase in the number of articles and books devoted to U.N. affairs, but, perhaps more encouraging, they expressed a friendlier attitude toward the U.N. See F. L. Kozhevnikov and A. P. Movchan, "The United Nations Charter Incorporates the Generally Recognized Principles of International Law," *Sovetskoe Gosudarstvo i Pravo* (June, 1955); and A. Vorob'ev, "On The Tenth Anniversary of the Creation of the United Nations," *Mezhdunarodnaia Zhizn'* (June, 1955).

A number of monographs designed to reach a wider audience were published on the occasion of the U.N.'s tenth anniversary: N. V. Chernogolovkin, *Mezhdunarodnye Organy i Mezhdunarodnye Organizatsii* [International Organs and International Organizations] (Moscow, 1955), 51 pp.; N. A. Ushakov, *Bor'ba SSSR za Sobliudenie Ustava Organizatsii Ob'edinennykh Natsii* [The Struggle of the USSR for Adherence to the Charter of the United Nations] (Moscow, 1955), 64 pp.; G. P. Zadorozhnyi, *Organizatsiia Ob'edinennykh Natsii i Mezhdunarodnaia Bezopasnost'* [The United Nations Organization and International Security] (Moscow, 1955), 33 pp.; and a book, translated from French, by C. Labeyrie-Menaham on *The Specialized Agencies of the United Nations*.

A one-volume collection of documents and two important monographs, dealing with the founding of the U.N. and its principal activities, were published in 1956. They were designed, at least partially, to strengthen the Soviet case against any revision of the Charter: V. N. Durdenevskii and S. B. Krylov (eds.), *Organizatsiia Ob'edinennykh Natsii: sbornik dokumentov* [The United Nations Organization: A Collection of Documents] (Moscow, 1956), 375 pp.; the monograph by S. Samarsky—*Bor'ba Sovetskogo Soiuza v OON za Mir i Bezopasnost' Narodov* [The Struggle of the Soviet Union For Peace and Security of Peoples] (Moscow, 1956), 50 pp.—was originally delivered as a lecture at the Higher Party School of the Central Committee of the C.P.S.U.; and G. P. Zhukov, *SSSR za Ravnopraviye Bol'shikh i Malykh Gosudarstv* [The USSR is For Equality of Large and Small Governments] (Moscow, 1956), 31 pp. In addition to these marks of attention, "since 1956–1957 textbooks on international law as well as Soviet surveys of international affairs and encyclopedia yearbooks (themselves innovations) have customarily included a section on 'international organizations'."[3] However, the State Publishing House of Political Literature (the most important Soviet publishing house handling contemporary international affairs) expressed dissatisfaction with the existing state of research in the field. It noted, for example, that publication plans for the 1956–1960 period "do not include research into the role of international organizations."[4]

The eleventh session of the General Assembly was discussed by M. Baturin in two articles in *Mezhdunarodnaia Zhizn'* (January and April, 1957); K. A. Baginian wrote on "The Principle of Non-Interference and the Charter of the United Nations" in *Sovetskoe Gosudarstvo i Pravo* (June 1957); V. Bogdanov discussed the possibility of settling international conflicts by patient negotiation, in the July issue; E. Korovin, a leading authority on international organization, wrote on "The Soviet Union and Founding of the United Nations" in the September 1957 issue of *Mezhdunarodnaia Zhizn'*; and L. Fituni's article, "The United Nations Organization and Security of Peoples," in *Mirovaia Ekonomika i Mezhdunarodnye Otnosheniia* (November 1957), might also be mentioned. Monographs by V. I. Bilai, the Ukrainian delegate to the General Assembly, and A. P. Movchan, a frequent contributor to journals dealing with international relations, were designed for a wide audience: *Na XI Sessii*

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[3] Alexander Dallin, "The Soviet View of the United Nations,' Ms., M.I.T. Center for International Studies, 1959, p. 74. For example, see the selection by L. A. Fituni on "The Specialized Agencies of the U. N." in *Mezhdunarodnyi Politiko-ekonomicheskii Ezhegodnik*, 1958. I am indebted to Professor Dallin for permission to use information from his manuscript.

[4] S. Mayorov, "Literature on World Affairs," *International Affairs*, (January 1957), p. 160.

General'noi Assamblei Organizatsii Ob'edinennykh Natsii [The XIth Session of the U.N. General Assembly] (Kiev, 1957) 38 pp., and *OON i Mirnoe Sosushchestvovanie* [The UNO and Peaceful Coexistence] (Moscow, 1957) 36 pp., respectively. An important presentation of the official Soviet position in the U.N. during the 1945–1957 period was also published: A. Protopopov, *Sovetskii Soiuz v Organizatsii Ob'edinennykh Natsii* [The Soviet Union and the United Nations] (Moscow, 1957), 210 pp. Some 20,000 copies of it were printed, an unusually large number for such a study.

A few other general works should be noted: S. A. Malinin, "The Juridical Nature and Legal Status of the U.N. Specialized Agencies," *Sovetskoe Gosudarstvo i Pravo* (November 1958); two articles by V. Alexandrov on the thirteenth session of the General Assembly, which appeared in the December 1958 and February 1959 issues of *Mezhdunarodnaia Zhizn'*, expressing approval of the admission to the U.N. of the newly independent, non-western nations on the ground that it decreased the voting effectiveness of the Western bloc; a monograph by G. P. Zadorozhnyi, *OON, i Mirnoe Sosushchestvovanie Gosudarstv* [The UNO and Peaceful Coexistence of Governments] (Moscow, 1958), 54 pp.; and, finally, the first Soviet textbook on foreign policy: *Ocherki Istorii Vneshnei Politiki SSSR* [Notes on the History of the Foreign Policy of the USSR] (Moscow, 1958). In his book, Professor Ivashin asserted that "in fighting for peace along all lines, the USSR attributed great importance to the United Nations."[5]

II. THE VETO POWER

The Soviet Government has consistently maintained that the preservation of the veto power in the Security Council—the principle of Great Power unanimity—is fundamental to the continued existence of the United Nations. That it was a prerequisite for Soviet participation in the U.N. was made clear early in the postwar period; see N. N. Poliansky, "The Principle of Sovereignty in the Security Council," *Sovetskoe Gosudarstvo i Pravo* (March–April, 1946). In the January 1947 issue, I. D. Levin declared, in "The Problem of Sovereignty in the UN Charter," that the renunciation of the veto "would in fact mean renouncing the chief task of the Organization." See also S. V. Molodsov, "The Unanimity Rule of the Permanent Members of the Security Council is an Inviolate Principle of the United Nations," *Sovetskoe Gosudarstvo i Pravo* (January 1953). In 1956, a book was published in Moscow specifically devoted to this question: N. A. Ushakov, *Printsip Edinoglasiia Velikikh Derzhav v Organizatsii Ob'edinennykh Natsii* [The Principle of Great Power Unanimity in the United Nations Organization]. The same author also wrote a similarly titled article for the July 1957 issue of *Sovetskoe Gosudarstvo i Pravo*. As long as the Soviet bloc is a voting minority in the United Nations, Moscow can be expected to remain unalterably opposed to any revision or modification of the veto power.

III. CHARTER REVISION

Along with its advocacy of a strong Security Council and the inviolability of the veto, Moscow has opposed efforts to revise the Charter, maintaining "that under present circumstances all attempts to revise it would not only be futile, but even harmful . . . The Soviet Union was, and still is, opposed to abolishing the unanimity principle, which is indispensable for the effective operation of the United Nations. However, the Soviet Union by no means opposes enlarging the major U.N. bodies."[6] That is to say, it welcomes increased representation for the Arab-Asian countries.

Two articles may be noted: S. Borisov, "Against Projects for the Revision of the United Nations Charter," *Sovetskoe Gosudarstvo i Pravo* (June 1955); and G. I. Morozov, "New Plans to Revise the Charter of the United Nations," in the May 1959 issue. The collection of documents compiled by Durdenevsky and Krylov, as well as the pamphlet by Samarsky (cited above under "General Works") were designed in part to show that the Charter did not need any revision, that it could function effectively as presently constituted.

A book published by the Czechoslovak Academy of Sciences in 1957, and highly praised in Moscow, stressed the adequacy of the U.N. Charter "for contemporary international conditions and requirements," and the need to preserve the veto; the authors also stated that "the U.N. Charter is undoubtedly a typical product of the era in which states of different types exist simultaneously—capitalist and socialists; it was planned to promote peaceful co-existence, co-operation and competition . . . not in a revision of the Charter but in its application lies the future of the United Nations Organization."[7]

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[5] Quoted from Dallin, *op. cit.*, p. 76.

[6] V. Shvetsov, "Another Attempt to Revise the U. N. Charter," *International Affairs* (July 1957), p. 109.

[7] V. Kopal and I. Mrázek, *Problems of the Revision of the U. N. Charter* (in Czech) (Prague, 1957, 242 pp.), reviewed by V. Nesterov and B. Topornin, in *International Affairs*, (January 1958), pp. 114–115.

IV. THE MEMBERSHIP ISSUE

During the 1945–1955 period, the Soviet Union opposed U.N. membership for ex-enemy and neutral states. It used the veto extensively to prevent the admission of nations which it considered antagonistic to its interests, though it was ready to support an ex-enemy applicant now safely behind the iron curtain. This attempted maneuver in no way affected Soviet attacks on Western efforts to circumvent the Security Council by granting to the General Assembly the power to decide on membership questions. The Soviet view was strengthened by two consultative opinions, handed down by the International Court of Justice, which upheld the competence of the Security Council to pass on such matters. For comment, see the articles by S. Borisov—"The Admission of New Members in the U.N.O." and "The Unsuccessful Attack Against the Principle of Unanimity of the Great Powers in the Security Council"—in the September 1948 and June 1950 issues of *Sovetskoe Gosudarstvo i Pravo.*

Since 1955, as a result of a policy shift dictated primarily by the new emphasis placed upon courting the underdeveloped countries, Moscow has become a supporter of the principle of universality of membership. Concomitantly, it also stresses the need to give Communist China its rightful position on the Security Council: "Obviously the United Nations cannot be called truly universal as long as the seat of the Chinese people, contrary to the Charter and common sense, is occupied by a Chiang-Kai-Shekite who does not represent anyone."[8] Soviet writers have criticized the failure of the U.N. to seat the People's Republic of China since the dramatic Soviet "walkout" of January–July 1950. The issue is raised regularly at the start of every U.N. session, and in the organizations affiliated with the U.N. Since the themes are the same—the legitimate right of Communist China to a seat on the Security Council and membership in the U.N., the paradox of considering the U.N. a world organization, while not recognizing the legal representatives of a quarter of the world's population; and the dangers to world peace resulting from the Western-inspired conspiracy to exclude Communist China from the U.N.—only a few articles need mention: G. P. Zadorozhnyi, "The Disgraceful Decision of the U.N. General Assembly" (Concerning the labelling of Communist China an aggressor in Korea), *Sovetskoe Gosudarstvo i Pravo* (April 1951); K. A. Bagianian, "Crude Violation of United Nations' Statutes by the Anglo-American Aggressors' Bloc," in the July 1952 issue; and articles by G. I. Tunkin and O. Nakropin in the October 1956 and November 1957 issues of *Mezhdunarodnaia Zhizn'*, respectively.

V. ECONOMIC DEVELOPMENT

From the beginning of U.N. operations the Soviet Union supported independence for colonial areas and sought to establish itself as their champion. Soviet delegates consistently advocated measures designed to promote the economic development of these emerging countries. But their declarations of support seldom corresponded to actual policy; for the Soviets made no concrete offers of aid prior to 1954, either on a bilateral basis or to U.N. organizations carrying on specific programs of economic development. Indeed, this divergence between declaration and deed, accompanied by the "hard" strategy of the Cominform, estranged Moscow from the newly independent nations of the Middle East and Southern Asia and isolated indigenous Communist Parties from nationalist movements.

During the Stalinist period, few articles dealing with U.N. efforts to improve economic conditions in the underdeveloped countries appeared in Soviet journals. This neglect contrasted forcibly with the profusion of statements made by Soviet delegates in the U.N. organizations. The articles depreciated Western efforts while lauding Soviet proposals, and belittled U.N. activities. G. Slavianov purported to review the record in his article, "Economic Problems at the Thirteenth Session of the United Nations Economic and Social Council," *Planovoye Khoziaistvo* (November–December, 1951); in actuality, he devoted most of his account to an attack on Western policy, with little analysis of the specific problems raised in *ECOSOC*. Another typical article appeared in *New Times*, No. 47, 1952, on "The Problem of the Underdeveloped Countries: The Results of the General Discussion on the Problem of the Economic Development of the Underdeveloped Countries by the Second Committee of the U.N. General Assembly."

Soviet writers, then as now, emphasized the bilateral approach to economic development. The potentialities of the U.N. were either ignored or slighted. See G. Afanas'ev, "Expansion of International Trade and Economic Development of Undeveloped Countries," *Voprosy Ekonomiki* (March 1952), and L. Fituni, *Sovetskii Soiuz i Mezhdunarodnoe Ekonomicheskoye Sotrudnichestvo* [The Soviet Union and International Economic Cooperation] (Moscow, 1952), 40 pp.

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[8] O. Nakropin, "The United Nations Must Be an Instrument of Peace," *International Affairs* (November 1957), p. 115.

Since 1954, coverage of U.N. economic deelopment and technical assistance programs as increased. The articles are usually brief ccounts of the meetings of the various regional conomic commissions and specialized agencies n which Soviet policy-makers have some interest. Though descriptive rather than analytical, nd stressing Soviet contributions to the operaon of a particular organization, the accounts re relatively devoid of the polemics charactertic of the Stalinist period. They reiterate the esire of the Soviet Union to aid the undevelped countries, the general inadequacy of U.N. fforts and the potentially significant role that he Soviet bloc can play in the process of promoting national programs of development. For xample, the following may be cited: M. orisov, "Problems of International Economic ooperation at the Eighteenth Session of the U.N. Economic and Social Council," *Vneshniia Torgovlia* (October 1954); A. Petrov, "The truggle of the Soviet Union for the Development of International Economic Cooperation," *Voprosy Ekonomiki* (October 1954); A. Chitiakov, "The Development of Economic Coperation Between the Countries of the Socialist Camp and the Underdeveloped Countries," *bid.* (January 1955); "The Twentieth Session f the U.N. Economic and Social Council," *Mezhdunarodnaia Zhizn'* (September 1955); nd K. Razumovskii, "The Results of the Twentieth Session of the United Nations Economic and Social Council," *Vneshniaia Torgovlia* (November 1955).

Soviet writers have focused particular attenion of late on the Economic and Social Counil and the Economic Commission for Asia and he Far East. The articles are noteworthy for heir growing factual quality: V. Cheprakov, 'The Strengthening of Peace and the Development of International Cooperation: The Work f the Twenty-fourth Session of the U.N. Economic and Social Council," *Kommunist* No. 14, 1957); an article on this same meeting y V. Polezhaev in the September, 1957 issue f *Vneshniaia Torgovlia*; V. Borovski, "The U.N. Economic Commission for Asia and the Far East and the Problems of Economic Development of Asian Countries," *Mirovaia Ekonomika i Mezhdunarodnye Otnosheniia* August 1957); and finally, a short piece in the June, 1958 issue of this journal on "*ECAFE* and the Struggle of the Countries of Asia for he Strengthening of National Economies," by L. Fituni, a leading writer on international organization.

Despite the increased interest in the probems and prospects of economic development as they are handled by U.N. organizations, Soviet writers continue to center the bulk of their attention on the question of expanding international trade, a persistent concern of Moscow throughout the postwar period.[9]

VI. FOREIGN TRADE

Khrushchev's remark to a group of U.S. Congressmen in 1955, that "We value trade least for economic reasons and most for political purposes," must not be regarded as an idle comment, for the Soviet Union is now in a position to challenge Western commercial dominance in many areas. Moscow's political offensive in the underdeveloped nations receives added impetus from its willingness to extend long-term credits, provide industrial equipment, and accept the surpluses of these countries. Prior to 1954 Soviet trade agreements were inconsequential adjuncts of Soviet foreign policy toward the non-Communist world; today they are firmly imbedded in an imaginative, impressive foreign aid program.

Stalin's postwar approach to foreign trade, as it developed within the United Nations, may be divided into two phases. First, between 1946 and 1948, the Soviet Government remained aloof from all major U.N. efforts to expand international trade, and showed negligible interest in the problem. Second, beginning with the third session of the Economic Commission for Europe in April, 1948, though still not contributing to the success of the Commission's endeavors, they did manifest a greater interest. Very little was written in Soviet journals on the U.N.'s role in promoting world trade. Occasionally, a piece critical of *ECE*'s activities appeared, *e.g.*, G. Slavianov, "The Seventh Session of the U.N. Economic Commission for Europe," *Planovoye Khoziaistvo* (May–June, 1952). The themes presented have since become familiar features of Soviet propaganda: the United States is responsible for the low level of East-West trade through its discriminatory export licensing policy; a bilateral system of trading is preferable to a multilateral one because, it ensures equality of treatment; the Western countries seek to maintain Eastern Europe's backwardness by their trade proposals. On several occasions the Soviet delegates made constructive proposals for altering *ECE*'s organizational machinery for handling trade questions. However, with the Cold War at its peak, there were no operational results.

After 1953, Moscow shifted to "competitive coexistence" in an attempt to ease international tension and enhance Soviet prestige in the underdeveloped world. In the process the trade question acquired a new significance. A number of short pieces appeared in several of the 1954 issues of the foreign trade journal: "The U.N. Economic Commission for Europe" (January); V. Viktorov, "The Tenth Session of the U.N. Economic Commission for Asia and the Far East" (April); and B. Usachev, "Problems of Foreign Trade at the Ninth Session of the U.N. Economic Commission for Europe" (June).

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[9] For an excellent analysis of the Soviet position on the trade question as it has developed within the United Nations see Harold Karan Jacobson, "The Soviet Union, the U. N. and World Trade," *Western Political Quarterly*, Vol. 11 (September 1958), pp. 673–688.

In their attempts to promote East-West (intra-European) trade, the Soviets have devoted particular attention to the Economic Commission for Europe. A partial reflection of this interest is evident in the increased number of articles appearing in Soviet journals. Quantitatively, however, the number remains small. Though most of them have been published in the foreign trade journal, several have appeared elsewhere: "Results of the Tenth Session of the U.N. Economic Commisssion for Europe," *Vneshniaia Torgovlia* (June 1955); V. Mordvinov and B. Maiorov, "The U.N. Economic Commission for Europe and the Problems of Economic Cooperation of European Countries," *Mezhdunarodnaia Zhizn'* (July 1955); a detailed account by K. Razumovskii and V. Azhaev in *Vneshniaia Torgovlia* (January 1956), on "The Results of the Fourth Session of the Committee for the Development of Foreign Trade of the U.N. Economic Commission for Europe," emphasizing the desirability of bilateral and trilateral trading systems; V. Alkhimov, "The Results of the Eleventh Session of the U.N. Economic Commission for Europe," *ibid.* (July 1956); an account of the twelfth session by the same author in the August, 1957 issue of *Mirovaia Ekonomika i Mezhdunarodnye Otnosheniia*; and an article by V. Polezhaev in *Vneshniaia Torgovlia* (January 1959), on "The Seventh Session of the Committee for the Development of Trade Under the U.N. Economic Commission for Europe."

To further its political objectives in Southern Asia, the Kremlin has relied principally on the bilateral approach, offering expanded trade, long-term credits, and technical assistance to a target country through regular diplomatic channels. It has also "discovered" the potentialities of the Economic Commission for Asia and the Far East, particularly as a forum for deriving maximum propaganda gain out of Soviet achievements and contributions. Moderation, reasonableness, and a willingness to participate actively in the Commission's pro-
gram are aspects of the current Kremlin dipl
matic offensive.

A number of articles in the foreign tra
journal, *Vneshniaia Torgovlia,* are worthy
mention. They are invariably brief, descripti
in character, and relatively temperate in the
criticisms of Western policies, *e.g.,* "At t
First Session of the Sub-Committee on Tra
of the U.N. Economic Commission for As
and the Far East," (February 1955). S. Mili
kov blamed the slow development of trade
the *ECAFE* area on the Western econom
blockade of China and on the "artificial r
strictions" placed on trade with the People
Democracies in his article on the eighth sessi
of *ECAFE*'s Committee on Industry an
Trade (April 1956). See also "Eleventh Sessi
of the U.N. Economic Commission for As
and the Far East" (May 1955). S. Musatov, i
"The Twelfth Session of *ECAFE*," (May 195
stated that the Soviet Union was prepared t
increase its purchases in the region, expan
deliveries of industrial equipment to thes
countries, and receive specialists from *ECAF*
countries; N. Zinov'ev dealt with the resul
of the first session of the newly establishe
ECAFE Committee on Trade in the Januar
1958 issue; and M. Pankin summarized th
results of the second session in the May 195
issue. In addition, Soviet participation i
ECAFE has been mentioned by other Sovie
writers in literature devoted to Soviet polic
toward the underdeveloped countries.

VII. PEACEFUL USES OF ATOMIC ENERGY

On December 8, 1953, President Eisenhowe
speaking before the General Assembly, pro
posed the establishment of an Internationa
Atomic Energy Agency to promote the peace
ful uses of atomic energy. At first, Moscow wa
hostile; it sought to kill the proposal throug
obfuscation and delay. For example, during th
preliminary discussions, the Soviets tried t
link adoption of the Eisenhower Plan wit
acceptance of a Soviet-sponsored program
disarmament. See V. Iakovelev, "Atomic En
ergy—In the Service of Peace: On the Atomi
Diplomacy of the U.S.A. and the Struggle
the Soviet Union for the Reduction of Atomi
and Conventional Weapons," *Mezhdunarodnai*
Zhizn' (February 1955).

By mid-1955, however, this position was re
versed as Moscow sensed the appeal which th
proposal held for the underdeveloped coun
tries. Soviet writers then lauded the potential
ities of the I.A.E.A.: A. Lavrishehev, "Inte
national Cooperation in the Utilization
Atomic Energy for Peaceful Purposes," *Vop*
rosy Ekonomiki (December 1955); and a shor

amphlet by Ia. Ts. Mirov, *Atomnuyu Energi u—Dlia Dela Mira* [Atomic Energy—In The ervice of Peace] (Moscow, 1955), 32 pp.

Since the formal establishment of the International Atomic Energy Agency on October 1, 956, and the start of operations in July, 1957, oviet scholars have followed its progress and roblems. Their commentaries have been rela- vely free of polemics, though emphasis on oviet contributions often assumes obvious ropaganda proportions: "Toward the Estab- shment of the International Agency for tomic Energy," and a copy of "The Charter f the International Atomic Energy Agency," ere published in the March, 1957 issue of *ezhdunarodnaia Zhizn'*; S. A. Malinin, "Legal orms of International Cooperation for the eaceful Utilization of Atomic Power," *Sovet- koe Gosudarstvo i Pravo* (July 1957); P. gurnov and S. Nikolaev "Atomic Energy—or the Welfare of Mankind: On the Coopera- on of the USSR with Other Countries in the ield of the Peaceful Utilization of Atomic nergy," *Mezhdunarodnaia Zhizn'* (September 957); and a monograph by V. Larin, one of he principal scholars writing on international rganization, which was published in 1957: *ezhdunarodnoe Agentsvo po Atomnoi Energii* The International Agency for Atomic Energy]. nother account worth noting is an essay by . N. Shevchenko, "The Problem of Atomic nergy and Peaceful Coexistence," which appeared in *Mezhdunarodno-Pravovye Formy irnovo Sosushchestvovaniia Gosudarstvo i atsii* (Moscow, 1957).

There have been few comprehensive accounts f I.A.E.A. activities. Occasionally, short ropaganda pieces appear in *New Times*, and oviet newspapers periodically accuse the nited States of attempting to subvert the rganization and meddle in the affairs of other ountries.[10] But several articles, devoted to the irst and second General Conference of the .A.E.A., may be noted: V. Larin, "Peaceful tom and International Cooperation: On the irst Session of the General Conference of the .A.E.A.," *Mezhdunarodnaia Zhizn'* (December 957); a follow-up article by the same author n the June 1958 issue on the "Soviet Contribu- ion to the 'Atom Pool' "; and V. P., "At the econd International Conference on the Peace- ul Uses of Atomic Energy," *Atomnaia Energiia* November 1958).

At the third General Conference, held in ienna in September 1959, the Soviets denounced the United States in terms and tone reminiscent of the Stalinist period. However, the attacks centered on administrative issues, and not on the substantive operations of the Agency. With respect to this Agency at least, the small volume of Soviet writings does not reflect any lack of interest; indeed, Soviet actions in the I.A.E.A. indicate an intention to participate to an increasing extent in the organization's work.[11]

VIII. CONCLUSION

During the first postwar decade the Soviet government did little to publicize the activities of the United Nations. A noticeable change has taken place since 1955. Selected information on major developments in the General Assembly, Security Council, and regional economic commissions is now presented more frequently, but there has been no systematic effort to educate the Soviet people as to the functions, activities, and successes of the U.N. Though Soviet scholars are devoting more attention to U.N. activities, particularly as they concern underdeveloped countries, their writings are usually repetitious and superficial. Nevertheless, careful analysis of these accounts provides some useful insights into the changing Soviet image of the United Nations and its role in world affairs.

Khrushchev did not mention the United Nations, or its importance in preserving international peace, in his major address before the Twenty-first Congress of the C.P.S.U. on January 28, 1959, a fact which raises the question of what Moscow hopes to accomplish through membership in the United Nations. Dallin succinctly summarized the possibilities as follows:

> Membership, even at times of considerable adversity, has conferred on the Soviet Union valuable opportunities for the settlement of some relatively minor disputes, for information-gathering and international contacts, for gaining prestige and respectability as a major power in the family of nations; and, of utmost importance, for propaganda.[12]

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[10] *Pravda*, October 19, 1957.

[11] In May, 1959, the Soviet Government informed the Director-General of I.A.E.A. of its intention to make a voluntary cash contribution, designed to enable member nations to purchase equipment in the USSR, of $125,000. It also assigned Professor Arkady N. Rylov, an eminent nuclear physicist, to the Agency where he will serve as Deputy Director-General for training and research.

[12] Dallin, *op. cit.*, p. 100.

BOOK REVIEWS

Politics and Vision. By Sheldon S. Wolin. (Boston: Little Brown and Company. 1960, Pp. xi, 529.)

Anyone who undertakes to write a survey of the stream of political thought from Plato to the present must have an uncommon amount of courage, for the risks are many and great, and many are those who have met them unsuccessfully. The undertaking involves being deeply and widely versed in the literature of the field and the ability to select what is important. Both of these require time. It takes years to obtain the necessary knowledge and also to acquire the maturity without which knowledge cannot ripen into understanding. Then there is the problem of deciding whether to confine oneself to exposition in the Dunning tradition or to venture into interpretation and evaluation. The first alternative means shallowness and superficiality, while the second demands a general framework, a central unifying theme, a capacity for original thought, and the power of literary expression.

Professor Wolin has met these challenges successfully. His mastery of the field is obvious and extends to much more than the ground usually covered by the historians of political thought. He draws from the literature of economic thought, from theology and church history, and from the best thinking in modern organization theory and public administration. The result is breadth and perspective and, in many cases, novel insights. He is equally courageous in his omissions, many of which are rather startling since not only minor but some major figures like Aristotle are either left out or treated casually and briefly. Nevertheless, the omissions are justifiable in terms of the theme which Professor Wolin is developing and enable him to handle adequately other figures, historical periods, and schools of thought. He decisively ignores the easy way out of pure exposition by means of which a writer can hide his own deficiencies of critical analysis and takes the bold course of interpretation and evaluation. His literary presentation is clear, often elegant, and mercifully free of pedantry and jargon. There is no attempt to impress the reader with his learning, great as it is, nor to assume that obscurity and complexity are synonymous with profundity.

Professor Wolin's general theme is implicit in the last two sentences of his book: "It means, finally, that political theory must once again be viewed as that form of knowledge which deals with what is general and integrative t men, a life of common involvements. Tl urgency of these tasks is obvious, for huma existence is not going to be decided at the less level of small associations: it is the politic order that is making fateful decisions abo man's survival in an age haunted by the po sibility of unlimited destruction."

It is clear from the demand which he mak of political theory that his thinking abo politics is both medieval and modern. It medieval in its insistence on a general integra ing frame of reference, on a philosophy capabl of restoring unity, meaning, and purpose to in stitutions and processes. It is modern in i conception of the political as that which dea with conflict and decision-making. It is dem cratic and liberal in its rejection of any attemp to compose and reconcile conflicts by the impo sition of some system of values external to ma and internalized by propaganda and govern mental pressure. He wants consensus to b attained by the contestants themselves throug creative leadership, for consensus is somethin to be drawn out of people rather than impose upon them.

This general theme gives order and directio to Wolin's whole survey of the stream of polit cal thought and causes him to make some ver penetrating and often original appraisals well known figures and movements. It woul be impossible, in a book review, to touch o any points of detail even though many of the are highly interesting and worth discussing—and debating—in their own right. On th whole, it appears that Wolin thinks that ther have been roughly four major answers to hi central problem: the Platonic, the Christia the liberal, and the pluralist.

The Platonic answer he rejects because it re duces politics to "the art of imposition" and th "pursuit of ultimate truth" destroys that whic is peculiarly political. To Christianity h ascribes the contribution of discovering th community-building properties of belief, but h thinks that Christianity, whether Catholic o Calvinistic, has been unable to solve the tensio between faith and organization. His appraisa of liberalism is novel and unconventional, bu he makes a strong and documented case for it Its substance is that liberalism is rooted i anxiety, being pessimistic about human natur and relativistic about values. Wolin's treat ment of liberalism is unconventional in that h puts it in the same camp with its arch-enemies traditional conservatism and Marxist com munism, because all three posit social conformty or "socialized conscience," as the standard of behavior. Liberalism is unacceptable to him because it is social rather than political and tries to substitute administration for politics and statecraft. Pluralism he conceives as an escape from the basic problem of political philosophy through fragmentation into group or fractional politics.

Professor Wolin's survey of the history of political thought is stimulating, original, and creative. It does not offer a solution to the problem he raises, but it is a superb presentation of it which no political scientist can henceforth afford to ignore.

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The American Voter. By A. Campbell, P. Converse, W. Miller, and D. Stokes. (New York: John Wiley & Sons, Inc. 1960. Pp. viii, 573. $8.50.)

There are, it seems, three ways in which the continuing study of voting behavior can contribute to a cumulative body of knowledge about elections: it can produce new types of data on different aspects of the vote by asking fresh questions; it can subject new data and old to more ingenious analytical manipulation; and it can bring to the design, analysis and interpretation of data new theoretical understanding. All of these things the University of Michigan's Survey Research Center has done with considerable success in its new study of the American electorate.

It is impossible within the limits of this short review to summarize and evaluate a book so rich in data and analyses. All of the familiar aspects of voting behavior—the image of the parties and the candidates, orientations towards issues, citizen involvement in the political process, demographic characteristics of the electorate—are treated much less mechanically and more imaginatively than has been the case in past survey research studies. A new analytical device—the voter's "level of conceptualization"—is a promising innovation. A classification of elections into maintaining, deviating and realigning contests is likely to be useful in linking survey research with aggregate voting data for political system analysis. But, most important, Angus Campbell and his associates have not only assimilated to their own modes of analysis those of previous workers in the field, but they have also been exceptionally sensitive to criticisms of their earlier work, heeded these criticisms and creatively coped with them in their new study. Indeed, these criticisms and the manner in which they have been met can serve as convenient handles for coming to grips with the book.

In the first place, it has been charged that survey research makes for a "flat" profile of the electorate, and that it cannot capture the dynamics of resistance and change involved in the electoral process. *The American Voter* demonstrates that survey research need not be devoid of longitudinal depth and contextual flavor. Though primarily a report of the 1952 and 1956 presidential elections, the book also draws on studies of the 1948 and 1954 contests, and even on research conducted in 1958. The wealth of these "historical" data not only permits the authors to undertake comparative analyses, but also to develop time series. For instance, an analysis of "class polarization" shows considerable variation in the relationship between social class and vote in a series beginning in 1944; or data on age and "first vote" are successfully exploited in tracing the genesis and development of party identification. Moreover, there is a good deal of reliance on more conventional and "qualitative" knowledge of electoral conditions and circumstances.

Secondly, survey research has been criticized for being psychologically-oriented to the extent of ignoring important sociological factors in electoral behavior. Although this new report continues the Survey Research Center's psychological tradition and, indeed, strengthens this orientation by further evidence of the pervasive and stabilizing influence of party identification, it also shows a healthy respect for the more strictly sociological dimensions of voting behavior. Membership in social groups, the role of social class, economic antecedents and population movement are treated as important variables. Yet one cannot escape the feeling that the authors' psychological bias betrays their sociological commitment. One is startled to learn, for instance, that "at the time our political system was designed, influential minds found in the 'different sentiments and views' of the various classes 'the most common and durable source of faction.' " (p. 334) What, one wonders, ever happened to "the various and unequal distribution of property?" It also takes a good deal of psychological leapfrogging to speak of attitudes and perceptions as "motivations."

Thirdly, survey research has been found wanting because, in concentrating on the individual voter, it seems to have failed in dealing with the institutional and legal settings of elections, as well as in tracing the consequences of voting behavior for the political system. Again, the authors recognize that institutional parameters, in setting limits to voting behavior, may facilitate or impede both participation and partisanship. The crucial problem of electoral consequences for the political system is occasionally touched on in different empirical analyses, but it is primarily treated in a concluding chapter. Here the analysis is more interpretative than evidential in examining electoral outcomes as they affect political leadership, party strategies and the party system. A next step in survey research would seem to call for building appropriate questions about consequences into research designs and interview schedules.

Fourthly, survey research has been criticized for lack of imagination in exploiting data which, though perhaps unsatisfactory from a sampling point of view, might give insight into highly molecular aspects of voting behavior. It has been true that the Survey Research Center's reports have been close to the data and rarely ventured far beyond them. Whatever one's predilections in this regard, the new report cannot be accused of undue self-restraint. In the chapter on "agrarian political behavior," for instance, limited data are creatively used for insightful speculation and interpretation against more general background knowledge of the behavior of rural populations.

Finally, survey research, including the work of the Survey Research Center, has been found deficient in theoretical orientation or, at least, theoretical explicitness. *The American Voter* reveals a good deal of sensitivity to this criticism, but meets it in less satisfactory fashion than the other charges. Some of the theoretical discussions throughout the book are at times so over-explicit and, from a stylistic point of view, so tedious that they amount to obfuscation. Moreover, the quest for theory has been met with such vengeance that the resulting "master theory" does not ring quite true. An effort is made to order the vast array of factors presumably influencing the vote decision in a "funnel of causality" which, it turns out, is not a theory generating research hypotheses, but at most a convenient device to establish a hierarchy of influences, some close to and others more remote from the voting act. Yet, most of the empirical analyses proceed without the benefit of the "funnel of causality," and, perhaps more important, derive from theoretical propositions quite unrelated to it. It seems to me that the idea of the "funnel of causality" obscures what I sense to be a sophisticated multi-level type of analysis. Like other forms of human behavior, the voting act can be interpreted on different levels—as a minimum on the levels of the cultural system, the social system and the personality system. These levels represent different types of inquiry, each undoubtedl contributing to an explanation of the totality o behavior, but each with its own causal antecedents and dimensions which, when squeeze into a single "funnel of causality," becom theoretically confused. Indeed, the facil quality of the "funnel" notion is an obstacle t understanding the ways in which conceptuall different levels of analysis and empiricall different phenomena can be related to accoun for the complexity of voting behavior.

In spite of these strictures, let me conclud by saying that *The American Voter* is likely t supersede most previous survey-type analyse in the field of voting behavior.

HEINZ EULAU

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The Overseas Americans. BY HARLAN CLEVELAND, GERARD J. MANGONE, AND JOH CLARKE ADAMS. (New York: McGraw-Hill 1960. Pp. xv, 316. $5.95.)

The Public Service in New States. BY KENNET YOUNGER. (New York: Oxford Universit Press. 1960. Pp. viii, 113. $2.60.)

In recent years, as overseas representatives o advanced countries have assumed various new roles in the affairs of newly-developing nations, a host of novel personnel problems have emerged. Two distinct categories of such problems are examined in these volumes.

The Overseas Americans, based on a two-yea study by a group at Syracuse University, assesses the distinctive demands of work and life abroad, and the needs for improved training and screening of Americans for such pursuits. The study, supported by a Carnegie Corporation grant, explored the common problems of government employees, missionaries, and businessmen overseas to determine the requisites of success in foreign assignments. Field research in a dozen foreign countries included intensive interviews and testing of 244 subjects abroad.

Dean Cleveland and his associates identify the "qualities of mind and spirit" essential to effectiveness overseas as "technical skill," "belief in mission," "cultural empathy," "a sense for politics," and "organization ability." These factors are isolated as the universal elements of successful performance abroad, regardless of profession or country. Major responsibility for both the development and testing of these qualities is placed upon the educational system.

The authors chart in detail the further "internationalization" consequently required of American higher education. The liberal arts curriculum should include an introduction to a foreign culture and an optional "study abroad" program. A working experience in an alien society should be incorporated in graduate and professional training of those preparing for overseas service. Area study programs should be reoriented to impart not only specialized expertise in the specific area, but a more general skill in applying to any country the insights and techniques acquired from intensive study of a single culture. Exposure to at least one foreign language is essential, although fluency is not a *sine qua non* of success abroad. The volume's conclusions call upon employing organizations, foundations, and the national government to recognize and support these new responsibilities of the colleges and universities. The reader is reminded, finally, that however well prepared overseas Americans may be, their collective performance is basically conditioned by their government's foreign policies.

The results of the Syracuse study should reach both a professional and lay audience through this broadly informative and highly readable volume. Its characterizations of work and life abroad, enlivened by verbatim excerpts from field interviews, are richly illuminating. Readers sensitive to methodology may question the study's research techniques, notably the lack of a scientifically constituted sample, and the admittedly hazardous reliance upon supervisors' ratings of employee performance. The absence, also, of a more refined analysis differentiating the significance of specific qualifications for the several types of overseas employment leaves a conspicuous gap in the project's findings. But the study's methods suffice to yield an immense contribution to enlightened discussion of this pressing national problem. The book offers both a corrective to widely disseminated caricature of America's foreign representatives, and a perspective for appraising the various "crash" programs of curricular expansion.

The Public Service in New States is a brief study of some typical problems of civil service staffing in newly independent British territories. It examines transitional developments in the Federal and Regional Services of Nigeria, and compares these with the earlier experience of Ghana, Malaya, and the Sudan. The analysis focusses on the difficulties resulting from the dependence of new West African states upon the continued service of British colonial officials while native personnel are in short supply.

The author, currently Director-General of the Royal Institute of International Affairs, carefully reviews the responses to these difficulties, and extracts the lessons for other territories approaching independence. The typically premature exodus of needed British administrators is attributed to the inadequacy of home government personnel policies, as well as the political tensions of the period, and the pressures for rapid "Africanization." Mr. Younger discerns basic defects in the attempts to adapt the Colonial Service to the new situation, and proposes broad departures in staffing policy. Where the continuation of colonial administrative officers is required after independence, he suggests the termination of their British civil service status, and the use of individual contracts for their subsequent employment. To provide needed technical experts, he recommends temporary assignments of British home Civil Service personnel.

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The Professional Soldier. BY MORRIS JANOWITZ. (Glencoe, Illinois: The Free Press. 1960. Pp. xiv, 464. $6.75.)

Morris Janowitz, a sociologist, is well known to many political scientists. He has contributed much to the understanding of matters of interest to political scientists and sociologists alike, particularly in the scholarly study of military affairs, an area into which social scientists generally have been somewhat slow to advance. His latest publication, *The Professional Soldier*, is important not only for its inherent worth but also as an example of how two related disciplines can support each other.

This is a study of the professional life, organizational setting, and leadership of the American military profession as it has evolved during the first half of the present century. Methodologically it employs historical, documentary, biographical and autobiographical sources, an historical sample of over 760 generals and admirals, an analysis of 576 responses to a questionnaire administered to officers on duty in certain offices of the Pentagon, and 113 intensive interviews of selected officers in upper-staff echelons. Yet the most important contribution to the success of the book undoubtedly has been Janowitz's discerning and skillful observations of the military, both in this country and abroad, over a period of many years. While he makes extensive use of his data, he does not permit the quantitative approach to dominate, nor is he constrained not to generalize on the basis of his own insights.

The military profession today is faced with crisis, crisis forced upon it by rapid and far-reaching technological change. It must make many adjustments to meet this continuing situation and at the same time preserve its integrity and strength. Janowitz analyzes the ways in which these adjustments are being made. In so doing, he employs five basic hypotheses.

1. Changing organizational authority. There is a shift in the basis of authority and discipline away from authoritarian discipline toward greater reliance on manipulation, persuasion, and group consensus. "In fact, the central concern of commanders is no longer the enforcement of rigid discipline, but rather the maintenance of high levels of initiative and morale." The "heroic leader," who is just as essential as ever, now shares leadership with the "military manager" and the "military technologist."

2. Narrowing skill differentials between military and civilian. This stems not only from the increasing concentration of technical specialists in the military, but from the need for managerial and executive skills as well as those of the traditional commander. In many respects, military personnel and organization have become more and more like their counterparts in civilian society. Yet the military profession must remain different, because of its basic functional uniqueness. It and it alone has a monopoly on the use of violence.

3. Shift in officer recruitment. The military has shifted its recruitment from a narrow, relatively high social status to a broader base, which is more representative of the population as a whole. Even so, there remain important differences between the military elite and American society at large. Its members are, with rare exceptions, native-born. They are overwhelmingly of rural and small town origin, although from the more privileged rural elements. They have been overwhelmingly a Protestant group, although more recently, as the profession has become an avenue of social mobility, the concentration of Catholics has increased. Characteristically, the military elite has been conservative in political outlook, although this has been more a conservatism of form than of content, as is suggested by ventures into "military socialism." Janowitz concludes that "As a result of World War II and its aftermath, the social values of the military are probably less at variance with civilian society than they have been at any period of American history."

4. Significance of career patterns. Janowitz is especially interested in the relatively small group of top ranking officers. These constitute the "elite nucleus," an elite within an elite. He concludes that "Prescribed careers with high competence lead to entrance into the professional elite, the highest point in the military hierarchy at which technical and routinized functions are performed. By contrast, entranc into the smaller group—the elite nucleus—where innovating perspectives, discretionar responsibility, and political skills are required is assigned to persons with unconventional an adaptive careers."

5. Trends in political indoctrination. Th military leader has been thrust into a large managerial and political arena, forcing him t look beyond purely military affairs, to politica concerns, both home and abroad. The officer i now encouraged to have informed opinions o political, social and economic subjects. But th military profession is not guided by a singl unified philosophy. In strategic thinking tw theories of how military forces should be used to achieve political objectives compete fo attention. These are the "absolute" (there is n substitute for victory) and the "pragmatic" (warfare is but one instrument of international relations). Each of these schools of thought responds differently to the concepts and problems of coalition, total, limited, and political warfare.

Janowitz is restrained in his judgments of the military. Unlike his fellow sociologist C. Wright Mills, he does not cry with alarm. He does not see the military profession as a monolithic power group. Rather it exhibits many pluralistic characteristics and operates through a mutiplicity of channels and devices, including alliances with important segments of civilian society and a highly cultivated sense of public relations. The military "exercise their influence on political matters with considerable restraint and unease. Civilian control of military affairs remains intact and fundamentally acceptable to the military; any imbalance in military contributions to politico-military affairs . . . is therefore often the result of default by civilian political leadership."

Those who support Samuel Huntington's ideal concept of objective civilian control will not be satisfied with Janowitz's projection of the future requirements of the military profession. He suggests that the term constabulary forces be used rather than military forces, since these forces now encompass the entire range of military power from weapons of mass destruction at one extreme to various forms of political warfare at the other. In this context the officer of the future must be sensitized to the political and social consequences of military action, and civilian control must be exercised through a variety of managerial and political tasks. Most readers of this journal probably will take exception to the treatment of the political consequences flowing from this analysis, but none are likely to declare that Janowitz as not added to their own understanding of he American political process.

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The Corporation in Modern Society. EDITED BY EDWARD S. MASON. (Cambridge, Mass.: Harvard University Press, 1960. Pp. xv, 335. $6.75.)

Here is extracurricular reading that well leserves a place in our curriculum. Most stulents of politics are by now broadminded nough to admit that the modern business orporation is a "political" institution. But in ractice this usually means treating it as yet nother "pressure group," conjoined in triniarian equilibrium with organized labor and griculture. This book of papers is one of the oteworthy steps now being taken by those vho are seeking to theorize in a serious way bout the role of America's corporations in our ational life. Theory does not come easily here, s the authors are willing enough to admit. A orporation is political, to begin with, because it xercises power: it is able to control the lives of ts employees and it contributes mightily to haping the major contours of society. While mployees have the elemental freedom to quit, he fact of the matter is that security and sucess come only through acceptance of authorty. And society itself is vulnerable to corporate nfluence at a great variety of levels because ve the public enjoy the fruits of the productive rocess and are willing to allow these instituions the power they claim they require. To talk f institutional power, moreover, is to invite alk of legitimacy. What makes these private overnments rightful holders of power? One nswer is to claim that they have no power at ll: hemmed in by consumers and suppliers, ompetitors and regulatory agencies, corporaions are seen as powerless and hence the probem of legitimacy does not really arise. Another chool of thought asserts that corporate power s based on consent: consent of the stockholders o whom managements are legally accountable r consent of a society which has chosen to live with an economic system based on private property. A third approach suggests that the power of a corporation is a well-held trust: conscientious managers make judicious use of their superior intelligence and sense of obligation with the result that their exercise of power redounds to the greater advantage of society. The trouble with all three of these political theories is that they are based on major ordering ideas of the Eighteenth and Nineteenth Centuries. In the Twentieth Century they are largely a corpus of myths.

What is first needed, for those who would consider the corporation, is a prolonged assignment of homework. Much of the needed information is in *The Corporation in Modern Society,* although it has not been gathered either by or for political scientists. For those who read as they run, W. Lloyd Warner is especially good here on the social backgrounds of executives (although there are few surprises) and John Lintner is excellent on the sources of investment funds (and here there are some surprises). These subjects, however, are too important to be left to the sociologists and economists; it is time political scientists started preempting some of the territory. Two pioneers are Norton Long and Earl Latham. Long's subject, the impact of corporations on politics at the community level, has received occasional treatment before but he shows wit and learning in his discussion of how our conventional ideas about local political recruitment will have to be reshaped. Latham's attempt is more ambitious: to write an abbreviated and updated *Leviathan* of the politics of private government. Both of these essays are suggestive in a score of ways and they are "political" in the best sense of that term.

Yet something is missing. The volume is critical of corporation behavior and this is as it should be. Yet the criticisms are undeveloped and they uniformly lack a motor power. Why this is so gradually becomes apparent. The writers are not socialists: they do not believe in government ownership of corporations and they are willing to see the power to manage remain in private hands. They speak of public regulation but they are never clear in their own minds whether a free government actually has the power necessary for effective intervention in the most crucial areas. Nor are these authors Jeffersonians: they have no nostalgia for either sturdy yeoman farmers or bootstrap entrepreneurs, nor do they counsel trustbusting or other forays in atomization. They accept the world of industrial bureaucracy and they grant that the individual in our age will have to develop within its confines. And, finally, they are not apologists: they glorify neither corporations nor their managers for what they are not. The rationality of business institutions is never underscored and the men in the executive suites are not made out to be rough-hewn philosopher-kings. Where then do these writers stand? The answer is that they lack a firm ideological footing. Consequently criticism is piecemeal rather than systematic. One explanation for this hesitation is that the times are affluent and our corporations are meeting their payrolls and stocking our shelves. If there is a fault it lies less with the power of the intellect and more with the bountiful condition of society. It will probably take a good depression to produce theory of a higher order than is found here. What will be bad for General Motors, in this instance, may well be salutary for the political imagination.

ANDREW HACKER

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Economics and the Policy Maker. BY SYDNEY ALEXANDER, *et al.* (Washington, D. C. Brookings Institution. 1959.) Pp. xi, 209. $2.95.

The President's Economic Advisers. BY CORINNE SILVERMAN. (University, Alabama: The Inter-University Case Program, University of Alabama Press. #48. 1959. Pp. 18. $.35.)

To an increasing extent policy makers in government and business are making effective use of economists, who in turn, increasingly write and talk about their role, its extension, and its limits. In the fourth series of Brookings Lectures "for professional specialists and public officials" eight economists consider aspects of "the task of applying economic analysis to the problems of business and government."

Four of the lecturers chiefly analyze and give policy advice on specific issues, three chiefly examine the role of economic analysis and the economist in the policy making process, and one divides his efforts more or less evenly between the two kinds of tasks. Five devote some attention to the persistent problem of achieving economic growth without sacrificing price stability, without, however, arriving at any uniform conclusion. All lectures but one relate to the United States; and only one relates to business policy. Only a few high points in the lectures can be touched on here.

Everett E. Hagen in "Economics and Economic Development" illustrates and elaborates the view that economic theory, with its static assumptions and its focus on Western industrialism, has little relevance for underdeveloped countries, either in explaining why a country has or has not developed or in guiding policies for promoting economic development. Neil H. Jacoby attributes "The Problem of Creeping Inflation" to structural rigidities in the economy and proposes corrective policies in a half dozen sectors. The lecture on "Economics in Collective Bargaining," by Sumner H. Slichter develops the thesis that the wage-raising activities of trade unions generate incomes and thereby lead to fewer and milder recessions and a faster growth of physical production, although at the cost of a "slightly faster rise" in the price level.

Robert V. Roosa describes the objectives and methods of "Monetary and Credit Policy" in promoting stability and growth in "our kind" of market economy, and shows why monetary theorists and practitioners have faith in such policy, not to the exclusion of but along with other appropriate policies. In "Taxation Policy," Louis Shere calls attention to limits on the economist's right to speak with authority on policy, and points out that although our economic tools are deficient, we are not making full use of those we have. He then passes under policy review virtually the whole range of tax issues.

Sidney S. Alexander in "Economics and Business Planning" presents a systematic and penetrating examination of the various kinds of economic analysis and their relation to short-term forecasting and long-term business planning. In "Competition and Monopoly," Mark S. Massel points out that antitrust policy is largely made, and almost altogether applied, through litigation. Since lawyers dominate litigation, the economist must learn how to work with them in order to bring his contribution to bear more effectively. Gerhard Colm identifies "Economic Stabilization Policy" with the objectives of the Employment Act of 1946. These goals of "economic growth with stability in employment and prices" he finds to be consistent among themselves and with non-economic goals. He describes and evaluates the economic tools that have been developed—chiefly by non-academic economists—for implementing each of the three stages of procedure called for in the Act.

A few comments on the Colm lecture will serve here to introduce the Inter-University Case Program study of the Council of Economic Advisers. To this reviewer, the inconsistencies among the various goals of the Employment Act, and between these and other national goals, seem more significant than Colm indicates. Also, complications arise because the Employment Act goals must be promoted largely through policies relating to agriculture, housing, defense spending, interest rates, taxation, highways, education, and so on, all of which have important effects on the distribution of income and the relative positions of different economic and social groups. The economist, if he is to be effective in appraising and recommending policies as called for by the Employment Act, must as a practical matter present his views on such policy issues and in doing so must make essenially political choices among conflicting group nterests and competing national goals.

The same necessity underlies the dilemma acing the members of the Council of Economic advisers with respect to testifying before conressional committees, which is the central opic of Corinne Silverman's case study. Throughout its history the Council members since 1953 the Chairman only) have been uner pressure from Congress to testify with repect to economic conditions and policies. Principal attention is given in the case study to he views on this subject expressed by successive Council chairmen, Edwin G. Nourse, Leon I. Keyserling, and Arthur F. Burns. Nourse was unwilling to testify before congressional ommittees on the ground that to do so would e inconsistent with his relationship with the President. Keyserling considered his responsiilities to the Congress to be the same as those f other officials in the Executive Branch and elieved he could speak frankly while amplifyng and supporting the policy recommendations f the President. Burns much preferred not to estify regarding economic conditions and olicy, but did so reluctantly when pressed. It s not clear what limits, if any, he placed on his estimony, but apparently he did not satisfy ome members of the Joint Economic Comnittee.

The presentation of the different views in he case study appears to be fair, and provision s made for footnote clarification by the persons nvolved. Congress is let off more lightly than t deserves. One point on which all Council nembers seemed to be agreed is that no memer could present his personal policy judgnents to the Congress for very long and still etain his confidential relationship as an adviser to the President. Yet, in this reviewer's bservation and experience, it was precisely he "objective" personal policy judgments of he Council member that the congressional ommittees wanted most to secure, not merely his spokesmanship for the President's economic program.

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Constitutional Politics: The Political Behavior of Supreme Court Justices and the Constitutional Policies That They Make. By Glendon A. Schubert. (New York: Holt, Rinehart and Winston, Inc. 1960. Pp. xvi, 735. $8.50.)

Political scientists whose special field of interest is public law have been under the challenge of demonstrating that they are making contributions which are not already contained in the knowledge established by legal scholars. In view of the fact that the justification of divisions between disciplines is often a retrospective rationalization of developments which were largely accidental, and in view of the fact that the lines of division are periodically redrawn, it is questionable how much importance should be attributed to this challenge. If, in spite of these reservations, it is insisted that separate responsibilities are assumed by legal scholars and political scientists, it must be said that Professor Schubert has met this challenge with considerable success. His book, *Constitutional Politics*, explores those aspects of judicial action with which legal scholars have not primarily concerned themselves. If, on the other hand, the emphasis on separate tasks for different disciplines is disregarded, Professor Schubert's achievement still is impressive; for he provides new insights into the function of the Supreme Court, which should be welcomed by social scientists as well as by legal scholars. Nevertheless, in view of the fact that the book is intended as a basis for study by undergraduate students, several questions must be raised from a pedagogical point of view.

The subtitle of the book, *The Political Behavior of Supreme Court Justices and the Constitutional Policies That They Make*, and the expansion of this perspective throughout the book describe accurately the objective of the author. It has been understood for a long time that virtually every tribunal in a common law system is to some extent a policy making agency. Essentially this is what is meant by the well established concept of "interstitial legislation." Of course, the extent to which a court with limited original trial jurisdiction performs policy making in the interpretation of a relatively inconsequential contract apparently is quite different from the extent to which the Supreme Court of the United States performed policy making in the School Segregation Cases. However, the difference is one of degree rather than of kind, depending on the respective limitations that are imposed (or—at least—that judges are willing to accept) on judicial policy making in terms of institutional arrangements, procedure, and the substantive constitutional, statutory, and case law. Consequently, the Supreme Court is entitled to at least an initial effort of being understood as a court within the framework of a common law system. If this attempt does not explain its decisions adequately—apparently because of the relatively enormous scope of the "interstitial legislation" the Court has to perform—then explanations in terms of behavioral criteria should be sought.

Does Professor Schubert follow such an approach? He recognizes the importance of what generally might be called the legal methods of analyzing the Court's decisions. The opinions of the Court and of the justices which are reproduced in the book are carefully and well edited. Important legal concepts and their differences are explained either by the author's own comments or by informative and relevant selections from articles and monographs. A section is devoted to a very good explanation of the ways in which the Court exercises its jurisdiction. But the first eighty-eight pages of the book are so emphatic in characterizing the Court as a political group that the student will be strongly tempted to disregard anything except a behavioral interpretation of the Court's actions. It is important to suggest that a presentation which creates such a disposition in the mind of the student is undesirable, *for several other reasons than the one already stated* (i.e., that, in view of its institutional characteristics, the Court is entitled to be understood in the first instance as a tribunal in the framework of a common law system). First of all, it would be futile and embarrassing to resort to a complex analysis in terms of a behavioral interpretation—which Professor Schubert describes as consisting of political, psychological, sociological, administrative, and quantitative approaches—in instances in which the traditional legal appraisal provides a simple and adequate explanation. As a fair-minded scholar, Professor Schubert candidly illustrates this point by referring to the "famous switch" of Justice Roberts between 1936 and 1937 and showing that the result of a behavioral analysis would be strongly rebutted by the explanation which Justice Roberts himself gave. Secondly, observers of the Supreme Court began to rely on the behavioral approach after it had become increasingly apparent to them that the traditional legal approach alone did not offer a sufficient understanding of the Court. Certainly, it would be more meaningful for the student to appreciate this experience by becoming acquainted with the behavioral approach after having had the opportunity of discovering himself the limitations of the traditional legal approach. Finally, some of the methods of analysis which Professor Schubert introduces might not merely yield behavioral explanations, but, on the contrary, might show that the Court has followed meticulously the rule of *stare decisis* where discretionary policy making had been suspected. Here again, an initial exploration in terms of the traditional legal methods would be imperative.

The pervasive emphasis on the behavioral approach also creates problems regarding the arrangement of materials in the book. For ex ample, bloc analysis and game analysis are ap plied to the Hughes Court without a pric presentation or discussion of the salient case which reached the Court during that crucia period. The undergraduate student, for whos use this book is intended, and whose onl previous acquaintance with constitutional la probably was made in a general course i American Government, undoubtedly will fin it difficult to appreciate bloc analysis and gam analysis at this point. To give another exampl in the concluding chapter *Buck v. Bell*, *Rochin* *California*, and *Breithaupt v. Abram* ar grouped together under the heading of "Phys iological Privacy." To Professor Schubert' professional colleagues this arrangement shoul offer a very interesting perspective. But to th beginning student of constitutional law, wh probably will have to struggle with a con ceptual distinction between substantive an procedural due process, this grouping easil might be confusing.

In this reviewer's judgment, a different em phasis on the behavioral approach, a deliberat introduction of different perspectives, and a different arrangement of the well-edited an selected cases, selections from articles an monographs, and of Professor Schubert's ow informative and incisive comments, would hav made this book a more valuable source for th study of the Supreme Court.

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The Soviet Design for a World State. BY ELLIOT R. GOODMAN. (New York: Columbia University Press. 1960. Pp. xix, 512. $6.75.)

The onset of the cold war engendered an intensified search for a definition of the relativ role of ideology and national interest in determining Soviet foreign policy. Two general approaches can be discerned. The first is to explain Soviet conduct by the constraints imposed upon it by the structure of internationa power. Whatever cannot be explained in thi manner is then attributed to the influence o ideology. This approach, best exemplified b Barrington Moore, Jr.'s *Soviet Politics—Th Dilemma of Power*, ascribes to ideology the relatively minor role of a system of categories and assumptions for the ordering of experience which may retard or speed up but cannot prevent the adoption of policies dictated by national interest. The second approach is t stress the continued force of the ultimat Marxist-Leninist goals and assumptions a operational concepts. Departures from ideology are then explained as tactical adjustments t e nation-state system which the Communist ders seek to sweep aside at the opportune oment. Some of these tactical adjustments ay harden into permanent modifications of e ideology but they do not affect the long- rm goals and basic assumptions.

The second view has been shown by the de- lopments in the cold war to have greater edictive value and has prevailed. It has now en applied by Mr. Goodman to examine the ommunist goal of establishing a world state. he result is the most systematic, comprehen- ve and thoroughly documented treatment on e subject. His thesis is that "of all the major gredients of Soviet ideology which still re- ain as operational objectives, the world ate stands in the forefront," and that "the nscious and continuing outward thrust of viet power maintains as its objective the sorption of all nations of the world into the viet body politic."

Obviously, Soviet policies under Stalin's ogan of "Socialism in one country," particu- rly from the mid-1930's through the Nazi- viet pact to the end of the war in Europe, esent the most difficult problem of inter- etation for Goodman. By a *tour de force*, he monstrates that this period merely signifies e triumph of "Soviet Russian nationalism" er the original "proletarian internationalism' "an approach to the objective of a world ate." What was abandoned was not the ob- ctive but the promotion of revolution in non- ommunist countries as a technique to achieve e fixed goal. For this temporarily abandoned eans, Stalin substituted the defense and grandizement of the U.S.S.R. For the orig- al concept of a world state of genuine equal- y among nations, he substituted a Russian- ominated world state. Thus, ideology be- owed on Soviet imperialism its fixed goal hile Russian nationalism modified its method d gave it much of its content. Perhaps, one ay suggest that the Soviet elite draws from ommunist ideology and Russian nationalism hatever elements serve best to maximize its ower interests.

Goodman dismisses Khrushchev's doctrine peaceful coexistence as "a tool of ideological arfare" and a "short-range appeal to neu- alism." It merely poses the "ultimate choice etween war and peaceful submission to Soviet ontrol." Goodman admits that Khrushchev's enial of the inevitability of war was "perhaps" acknowledgment of the danger of total nu- ear war to the Soviet Union. But his em- hasis is on the propaganda value of Khru- chev's innovation which has removed "the asic contradiction of a 'peace' movement that simultaneously asserted the fatal inevitability of war." The author realizes, but does not elaborate on, the implications which the rise of Communist China has for the image of a "Russified" world state. All in all, Goodman has produced a significant book which no specialist may ignore.

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Neither War Nor Peace. By HUGH SETON-WATSON. (New York: Frederick A. Praeger, Inc. 1960. Pp. 504. $7.50.)

Sometimes the title of a book is a seriously misleading clue to the nature of its contents. In the case of *Neither War Nor Peace,* there is some possibility that the main merit of the work will be overlooked under the impression that it is an ordinary descriptive account of a number of the political events and developments in the world scene since the close of the second world war. Professor Seton-Watson is quite right in saying that his book is not a diplomatic history and that his organization of materials lacks neatness. In the opinion of this reviewer, the book does not turn out to be either a history of recent international relations or a contemporary world history. Certainly, one does find numerous digests and brief descriptions of post-World War II developments, mostly well-executed, sometimes very perceptive, at other times, a little thin, flat, or overly-compressed, and, on occasion, stimulating and controversial by virtue of the interpretations that are set forth. The important observation to be made is, however, that there are two separate books included within one set of covers.

The first one hundred pages and the concluding portion running somewhat over a hundred pages fit fairly well the expectation aroused by the title. A survey is made of the developments and trends of the Cold War and the Afro-Asian revolution with particular emphasis on domestic and national changes in the main regions since 1945. Area specialists would be likely to find numerous points of dissatisfaction and disagreement in the focus, selection, and handling of the passages concerning their specialties but this is an inescapable consequence of the large-scope survey containing greatly condensed descriptive materials. Perhaps, it is enough to say that non-specialist readers can and do draw benefits from the scanning and mapping contained in such surveys and that Professor Seton-Watson is skilled and experienced in doing that type of work.

The middle two hundred pages, virtually constituting a separate book, are entirely different from the survey chapters. They register a different interest and have a different value for the professional political scientist. Organized in topical chapters and extended over a much greater time span than the last decade and a half, the middle section of the book develops, in the form of comparative history, a germinal concept which has begun to grow and expand in a number of fields during the past ten years. This is the concept of sociocultural modernization, involving the transformation of the organization of societies and the reordering of cultures. Men's social ways (including the economic and political aspects) are changed by the modernization processes and world history becomes something qualitatively different from what it was before.

The idea has old roots but in the hands of the sociologists, anthropologists, and economic historians, it has recently taken on new dimensions and new significance. Clear beginning signs of the utilization of the modernization concept have appeared in studies of comparative government, international relations, and public administration. The major service rendered by Professor Seton-Watson consists in the conversion of a sociological theory stated in terms of abstract "ideal types" to a general historical interpretation of modern world trends. In doing this, he has drawn a sketch and built a framework of categories which, together, bring the theory of modernization a step closer to matters of politics and government, both national and international. The result might be called a species of "historical political sociology." And, by using the technique of comparative history, he is able to point to the variations and departures from the general concept in the actual practices of many countries.

The difficulties of the approach are illustrated, perhaps, by the somewhat curious absence of explicit links and connections between the quite interesting middle section of the work and the descriptive current history chapters on either side. More work is needed, obviously, and political scientists in several fields may find some useful guides in the directions that Professor Seton-Watson has indicated.

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Deterrent or Defense. BY B. H. LIDDELL HART. (New York: Frederick A. Praeger, Inc., 1960. Pp. x, 257. $4.95.)

Disengagement. BY EUGÈNE HINTERHOFF. (Lincoln: Stevens and Sons, Ltd., 1959. Pp. xi, 445. 45s. net.)

These otherwise very different books sha
one expositional defect and several them
Both are too long. Defense experts should n
miss Captain Liddell Hart's important boo
although much could have been pruned fro
these previously published articles. One cann
complain overly about so common a practic
especially when the style is excellent and t
substance solid. Captain Hinterhoff, in co
trast, is diligent but undistinguished in
writing. The reader's eyes glaze in followi
approximately one direct quote per page a
several dozen summaries of particular dise
gagement schemes, most of them outdate
Both authors are preoccupied with Europe
security; presume that thermonuclear war h
become virtually unthinkable; are convinc
that West Europe can be defended adequate
against non-nuclear attack without high
NATO force goals; and look favorably upon
militarily disengaged zone in Central Europ
These are optimistic views.

Liddell Hart's distinctive contribution
his analysis of army strategy, especially of t
numerical advantage of defenders over a
tackers. He has the elements of an operation
theory, lucidly put and buttressed by e
dence, in a field that greatly needs it. Rightl
he was undeterred by protests that quantit
tive generalizations are impossible here b
cause so many intangibles are present, for
knew that the critics are likely to be the slav
in practice of the most mechanically ove
simple theory—the planning factor. So
theorized, and social scientists will, and mi
tarists should, recognize and emulate the co
bination: explicit quantitative analysi
application of historical evidence, and maj
direct policy relevance.

For NATO, Liddell Hart concludes th
great qualitative improvements are neede
but that 26 ready divisions on the centr
front, a number about that in prospect, shou
be adequate insurance against non-nuclear a
tack. NATO's proclaimed dependence upo
promptly initiating the use of nuclear weapo
against any sizable Soviet attack could
obviated. Liddell Hart's calculations are co
vincing, although some will resist any polic
that appears to weaken the big deterrent
provocations in Europe. To them, Liddell Ha
overstates a good reply. An alternative
capitulating or launching general war is u
gently needed in NATO, and is worth, if nece
sary, a considerable lessening in the deterre
to minor provocations. But Liddell Hart, fin
ing that "nuclear parity is nuclear nullity,
regards the big deterrent as already incredib
and therefore ineffective.

His overstated "nuclear nullity" view, which tes back unchanged at least to 1954, weakens uch of his otherwise admirable discussion. e vulnerability of retaliatory forces, and erefore the precariousness of strategic equi- rium, is dismissed by assumption. Stability the balance of terror is presumed almost au- matic, which implies that we do not have to rk hard for it by both arms and arms con- l. He nowhere recognizes the possibility of clear blackmail (hostage cities) during, as ll as before, general war. And his discussion cogent enough to make his oversimplifica- ns terribly dangerous. Yet he recognizes at the American strategic retaliation which calls "suicidal" is nonetheless indispensable stop the Soviets from smashing limited war pabilities in Europe and elsewhere by nu- ar assault. He lets others face the dangerous cessity of bolstering the credibility of such taliation by measures that will make it non- icidal, or by placing the control of strategic taliation in the hands of those who may be e direct victims of nuclear attack. Liddell art's book has nothing to say about the key litical problems of modern coalition defense. r example, should independent national rategic deterrents be encouraged, or genuine ultilateral regional deterrents? What might done about enlarging American strategic pabilities so that their use for others' defense ll be more credible, or a real merger of sov- eignties so that the defense of Germany is alogous to the defense of Maine?

Hinterhoff's useful if tedious compendium minds us that considerable potential remains regional arms control schemes, especially in rope. If we remove the asymmetry in bar- ining power that makes NATO dependent on the nuclear initiative, mutually beneficial ms control schemes that are symmetrical be- me possible. If they materialize, they may cilitate simultaneous partial political settle- ents. But we cannot expect too much of them, r minimize their perils, as these authors do. hen the main de-stabilizing threats are ep-based, and nuclear threats are hurled over ba and Africa, an "interspace" with no di- ct confrontation of troops is no longer so im- rtant. Nor can one agree with Hinterhoff at "military measures must precede, not fol- w, a political settlement." Hinterhoff hopes to eet the unresolved questions of German uni- ation and Berlin by German confederation, t unification (no free elections), and with- awal of Germany from NATO. Very hope- lly, he thinks that the Soviets in return will cept a withdrawal of Poland, Hungary, and zechoslovakia from the Warsaw Pact; permanent removal of Soviet troops from those countries; and guaranteed acceptance of non-Communist regimes there. In his wishful thinking and eagerness, Captain Hinterhoff demonstrates that he remains a Polish patriot. One sympathizes, but his perspective is no more appropriate for a global appreciation than is Liddel Hart's island-centered appraisal of vulnerability.

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Raccolta di scritti sulla Costituzione: Vol. I, Discorsi e scritti sulla Costituzione; Vol. II, Studi sulla Costituzione; Vol. III, Studi sulla Costituzione; Vol. IV, I precedenti storici della Costituzione (Studi e lavori preparatori); Vol. V, L'attuazione della Costituzione. By COMITATO NAZIONALE PER LA CELEBRAZIONE DEL PRIMO DECENNALE DELLA PROMULGAZIONE DELLA COSTITUZIONE. (Milano: Dott. A. Giuffrè, Editore. 1958. Pp. viii, 148; viii, 552; viii, 496; viii, 311; viii, 265.)

On December 27, 1947, Enrico De Nicola, the provisional head of government and one of Italy's most distinguished constitutional jurists, promulgated the first Constitution popularly ratified by the nation's citizens. These five volumes commemorate the first decade of constitutional, republican government. They extol the Constitution's virtues, delineate some of its shortcomings, trace its origins, analyze some of the central problems of interpretation it raises and look critically at the matter of implementing the crucial sections of the document. Despite the inevitable unevenness of a work such as this, in which several dozen authors are represented, large portions of it, particularly the bulk of the second, third and fifth volumes, should be translated into English in the interest of finding a larger readership in this country.

In the pages of this ambitious work, one will find contributions from many of Italy's leading political figures, journalists and eminent constitutional scholars. President Gronchi, in an introductory essay, urges the citizenry to contribute to the Constitution's goal of harmonizing social realities with the abstract principles enunciated by the Basic Law. Enrico De Nicola, destined to resign in bitterness as the Constitutional Court's first President, hails the long-awaited creation of that body with the observation that the Constitution can no longer be compared to Schubert's "Unfinished Symphony." The presiding officers of the national legislature, Cesare Merzagora and Giovanni Leone, write, respectively, of the Constitution's singular success in guarding the inalienable rights of citizens, and of the important rights of popular sovereignty the document invests in the electorate. These contributions to the first volume are clearly designed to evoke the Myth of the Constitution; it is the authors who follow who move away from hortative generalization to a more specific examination and evaluation of the Constitution and of the system it creates.

Of considerable interest to constitutional historians is Volume IV on "The Historical Precedents of the Constitution," edited by a three-man committee, among whom is included Professor M. S. Giannini, one of the country's best and most "modern-minded" administrative jurists. The volume is a continuous narrative—interspersed with documents and quotations from official sources—of the complex sequence of events leading to the birth of the Constitution. As early as 1945, the Parri Government established a "Ministry for the Constituent," charged with the responsibility of drafting an electoral law and of preparing other basic materials for use by the Constituent Assembly. Under the leadership of Pietro Nenni, this organization produced several important studies, including a series of fine historical and critical essays on past constitutional conventions and on the constitutional charters of other countries. Its most important contribution was a series of publications on the structural conditions of the country and on the requirements for setting up a democratic political system. It might be noted, incidentally, that it is not true that the invaluable volumes of the *Rapporto della Commissione Economica* are *all* out of print. Just two years ago, I was able to purchase most of the volumes from the most obvious place—the *Istituto Poligrafico dello Stato.*

A section of Volume IV treats the activity of the "Committee of 75" which, ably guided by Meuccio Ruini, had the responsibility of drafting the Constitution. Ruini, himself, remarks that the Italian Constitution is by no means the product of one man as in the case, say, of the Austrian Constitution (Kelsen) or that of Weimar (Preuss). One is impressed with the validity of this statement. For, as the elaboration of the document moved along, dissensions among warring ideological factions grew to considerable proportions. In the light of these differences, one is struck by the role of the extreme Left which, under the Togliatti line, rejected a posture of hostile isolation and cooperated actively in the drafting of a Constitution which represented *not* the Communist position but one deeply grounded in the basically "bourgeois" and "Western" thought Christian Democracy.

Because the tone of this volume is one of i personal detachment, it fails adequately depict the ideological undercurrents that we operative throughout the drafting stages the document. This detachment is carried the point of not identifying the political pa ties to which various of the framers belonge As a result, only the reader who has this info mation will be able fully to appreciate t strategic meaning of and connection betwe the various proposals and debates.

What kind of a Constitution did the Consti uent Assembly draft? The authors of the volumes agree that the document is "rigid not lending itself to easy modification or gre latitude of interpretation. Where its provisio are executory in nature, they lend themselv to strict interpretation; where they are pr grammatic, they are often hedged in by cavea or qualifications that make them appear co tradictory. A special problem with many the programmatic sections is that Christia Democracy has shown itself singularly disi clined to give full meaning to provisions for t initiative and referendum, regional gover ment and so on.

One Christian Democratic leader, Dino D Bo (II/157–167), laments this rigidity, su gesting that the framers might have been le timid were the Constitution itself more flexibl In his view, rigidity represents victory f those who sought to anchor the new syste to traditional liberalism, and a defeat for tho groups that sought to create a "social state sensitive to the needs and desires of the peopl He points out that the Constitution does n represent a national consensus and that, eve if it did, its rigid character would impede t achievement of constitutional goals.

Another way of describing the Constitutio is to say, with Adolfo Battaglia (I/91–98), th it is not a compromise among political parti that are far apart ideologically. It is rather constitutional compromise, a sufficiently ha monious and unitary collaboration among d verse currents of thought and policies withi each of the political parties. Rather than re resenting a pact among the mass parties, it is compromise among those who wanted t document to be primarily organizational an others who wanted it to be essentially program matic. The compromise involves an *organiz tional* document that at some places *promis* but does not *prescribe* revolutionary chang Thus, as put by another author (Sergio Fo I/123–126), the Constitution is a limited doc ment, concerned primarily with a set of gua ntees, but also providing some means of going eyond the limitations it sets to the creation f a new society. It is important to understand, owever, that the limitations imposed on overnment are not easily reconciled with the ole of government implicit in the Constituon's programmatic sections.

Several of the programmatic provisions give se to considerable difficulties. Mario D'Annio (II/205–229), for example, takes up the nteresting problem of the regulation of political parties. The Constitution (Article 40) cites olitical parties as the associations through hich the citizens utilize the methods of deocracy in order to achieve a voice in the determination of national policy. D'Antonio rgues that, in order to guarantee adherence to is constitutional norm, it is necessary that e legislature regulate by law the internal rocedures of the parties. He suggests the kinds f legal norms (e.g., party registration with onstitutional Court, open publicity regardg finances, democratic internal procedures as precondition to registration, etc.) that would atisfy the provisions of Article 40. Needless to y, Italy's party leaders view such suggestions ith suspicion and hostility.

In similar vein, Professor Vincenzo Sica I/291–301) contends that Article 40 requires plurality of political parties, and that this an be vouchsafed by legislation designed to ake the parties equal. Principal among the gislative guarantees would be that directed t giving the parties equal access to the mass edia. Lelio Basso (II/375–391), a factional ader of the Socialist party, construes Article 0 to require the existence of a parliamentary pposition. He would support legislation to uarantee both the existence and the operation f such an opposition.

In some measure, both the ambiguity of ertain constitutional provisions and demands r particular kinds of enabling legislation rete to the important revolution that the talian Constitution does represent. On the ne hand, Professor Crosa (II/21–37) is correct affirming that the Constitution enshrines he principles of individual liberty that grow ut of a history of development that culminates the kind of constitutionalism we associate ith Great Britain and the United States. hat is, the Constitution brings Italy up to ate with the Liberal movement of the 19th entury; the *individual* and his *rights* are learly recognized.

On the other hand, as Professor G. Ambrosini II/73–102) adds, the Constitution radically eparts from the view of the individual, and f intermediate groups, associated with the French Revolution. The Italian Constitution specifically recognizes *Gruppenmensch*, permitting the insertion of associations between the individual and the state. Rather than interpret associations as a denial of individual liberties, the Constitution recognizes a *plurality of groups* as instrumentalities through which the individual personality is manifested and his political role partially fulfilled. Thus the Constitution anticipates a pluralist society in which groups other than the state have their *raison d'être*.

Authors such as those I have mentioned assume that the Constitution can countenance neither absolute liberty nor totalitarian control of the individual. For this reason, these students argue that the state, through legislation, must act to regulate the internal procedures of groups in order to guarantee their democratic nature. As applied to political parties, labor unions and other formal groups, this is a matter that is certain to continue to attract considerable attention in Italy.

The third volume of the series contains a number of essays on the major institutions of Italian government. They are extremely uneven in length and quality. The opening essay, a statistical and graphic portrayal of the work of the first two legislatures, is certain to be bewildering to those readers who prefer meaningful summaries and graphs, and tables that are accompanied by time-saving explanations. Most of the authors seem unconcerned with the need for relating abstract constitutional principles to the realities of political behavior and of the social system in which the Constitution is supposed to function. One essay by Antonio Pesenti (Financial Aspects of the Constitution) is a refreshing departure from this tendency. Another, by Professor Paolo Barile, deals explicitly with the controversy that has grown up around President Gronchi regarding the nature of the Presidency under the Constitution. In the section on the legislature, it is unfortunate that no author felt it necessary to deal in detail with the fascinating parliamentary institution, the *commissioni in sede deliberante*. These committees are wholly responsible for enacting many laws that attract the attention and intervention of organized interest groups.

Volume V will be of value to those interested in constitutional implementation. A basic problem in this area is created because of the many programmatic provisions of the Constitution that need legislative implementation; another stems from the fact that many of the laws and judicial decisions of the Fascist regime carry over to the new system. The general rule followed by the courts, even in the important sector of civil liberties, is that Fascist-era legal norms remain intact until superseded by legislation or until declared unconstitutional by the Constitutional Court. The long delay in the creation of the latter takes on particular importance and significance in the light of this situation. Rather than create a "legislative void," Italian judges continue, for example, to apply laws of public security that date from the old regime, notwithstanding that these norms seem obviously to conflict with provisions of the new Constitution (see Volume V, Chapter 2).

With the birth of the Constitutional Court in 1956, the situation begins to be clarified. The kind of strength of purpose and devotion to the principle of judicial review evidenced by the court was unanticipated by most Italians. Many of the fascist laws have been declared null and void; others have been considerably limited and modified in their application. In the face of protests from the Government an from administrative agencies, the Court ha sought to give substantive meaning to the Constitution; it has clearly become, in a few sho years, the major guarantor of constitutiona liberties. This last volume also demonstrate however, that the legislature, under Christia Democratic leadership, is likely to remai slow-moving in the important business o translating many sections of the constitutio into legislative policy.

These volumes constitute an importan source of information for those who woul understand the workings of Italian government since the war. They do not deal wit "political behavior," as many of us would define that term; behavior itself, however, wi scarcely be adequately understood by the student who ignores the careful research tha many of these essays represent.

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POLITICAL THEORY, HISTORY OF POLITICAL THOUGHT, AND METHODOLOGY

'he End of Ideology. By Daniel Bell. (Glencoe, Illinois: The Free Press. 1960. Pp. 416. $7.50.)

This is a collection of previously published esıys on a congeries of concerns. The essays are ıe product of the past ten years; the concerns re evidently of longer personal standing, though ne of the volume's main themes is that of the ıpidity of change—often basic change—in Amerıan society and culture. The sixteen pieces cover wide range of subject matter. Yet the collection in part held together by the author's explicit ractice of sociology as social and cultural critism, as "contextual" analysis, and as a "way of ecoming sophisticated about the world." Morever, certain themes are developed—sometimes pisodically—throughout the volume.

Students of American politics who have not lready read the essays will find the author sugestive on several subjects. A dual American traition of political compromise and moral exemism is suggested, and the sources of moral ktremism are explored as a contribution to the nderstanding of "McCarthyism." Related to ıis dichotomous tradition is Bell's view that moral utlooks and prosaic ideologies are tending today ɔ muddy the utilitarian mainstream of American olitics. One suggested reason for this is the inreased importance of foreign policy. Another is basic change in politics and opinion formation elated to mass communication) in which "interst" groups assume broader roles as "symbol" roups and find ideologies necessary if they are to ppeal to the "public interest" notion which is ıore favorably and fervently regarded in a hanging and diversified society. This general heme is most fully developed in two essays dealıg with American labor unions as social moveıents and as "market unions" and with the role f public opinion in labor disputes. Finally, Amerıan society is characterized as the first largecale society with "built in" innovation. Thus uropean intellectual systems—and particularly he lucubrations and lamentations about "mass ociety"—do less than justice to social-economic hange and political response in the United States.

Students of political ideas will probably profit rom the classification of theories of "mass socity" in the first chapter. The essay on "Two Roads from Marx" contains a penetrating discusion of Marx's treatment of the notion of "alienaion." This notion, in turn, is crucial in Bell's wn conception of the role of the social theorist and critic of an "anti-ideological" orientation—a view set forth in the Introduction. Two further essays deal directly with the "end of ideology"—with the practical demise of (un-practical) socialist politics in America, and with the difficulty for the intellectual of serving and supporting "radicalism" and "alienation" in the absence of ideologies.

Some essays will have particular appeal for students of systematic social theory. Two—reprinted from scholarly journals—deal with 1) theoretical frameworks for predicting Soviet behavior, and 2) C. Wright Mills' *Power Elite.* For sustained and suggestive analysis they are two of the best in the volume. Other essays deal with "American studies" or the study of "American civilization," and with the development of doctrines on human "efficiency" and human relations in industry.

Despite the recurrence of several themes and concerns throughout the volume, no brief review or appraisal of its contents can be a just one. It is tempting at times to take the author to task for not converting perspective into sustained analysis, but that is not the task he set himself. (Two essays on the changing forms and functions of crime in America do substantially and suggestively perform this task.) For this reviewer the volume has two strong points which are very strong, indeed. These are its appreciative analysis of social changes and its perceptive criticisms of social theories. Generally these are brilliantly combined, and the essays are brilliantly written. The book is a bright example of social theory at the service of vital personal concerns and a critical intelligence.—Charles E. Gilbert, *Swarthmore College.*

The Constitution of Liberty. By F. A. Hayek. (Chicago: The University of Chicago Press. 1960. Pp. x, 570. $7.50.)

Professor Hayek has written a curious book and, to this reviewer, a disappointing one. It is an ambitious undertaking, wide-ranging in scope, and comprehensive in material. From the author's standpoint, what he has written here represents the culmination of many years of study. This is both the summary and synthesis of his social philosophy and an *apologia pro vita sua.* The general result, however, is a failure. The argument does not carry conviction, because its ideals are so utterly unrealistic.

This is admittedly the work of a learned man, whose roots were in central Europe and whose scholarship is deeply imbued with the culture and philosophical tradition of western civilization. Indeed, in some respects the copious footnotes, with their parade of quotations and sources, are more rewarding than the text. Moreover, the book deserves to be seriously considered since its theme does constitute a major effort at integration. Professor Hayek has made the attempt to synthesize his outlook on economic matters, on political, and on social. The chapters, accordingly, are divided into sections which deal in turn with his basic principles, then with their political implications and finally with their application to social policies.

His basic principles are a strange medley. They are a blend of the utopian, the nostalgic, and the inhumane—all of which is oddly described as liberalism. His prime objective is a society which will minimize the coercion of men over men by governmental means. To liberty he gives the essentially negative connotation of freedom from. His desire to restrict the powers of governments derives from fear and mistrust. He is afraid that powers will be abused, and he is thoroughly sceptical of the possibility of knowledge and wisdom being utilized for rational man-made controls. Of course, he accepts all the consequences of this line of reasoning. He fully recognizes that such a conception of liberty leads to inequality. He sees it—and he welcomes the result. He then defends the unequal distribution of property and the privileges of the few—arguing that by their efforts the whole society is ultimately benefited. For the mass of people he has little sympathy and no pity. When he looks at the grandiose functions of the modern welfare state, which he examines and condemns in turn, he reminds one of the lady driver who came up to a stop light which was red, and remained there while the light changed to green and orange and then back to red again. At which, a nearby traffic policeman strolled up and inquired: "What's the matter, lady? Ain't we got no colors you like?" Professor Hayek observes the modern state and can find among its functions none that he likes.

There is, therefore, a strange unrealism in this book. Its author clings to a never-never-world of illusion and doctrine, which not only cannot be created now, but in fact never did exist. He argues for a dream and is slave to a fantasy. Some awareness of this must have troubled him, because after so many avowals of his dislikes, he finds it necessary to end the book with a concluding chapter entitled: "Why I am not a Conservative." The self-justification is needed, because in the effort to speak as a liberal he frequently sounds like, not a conservative, but a reactionary. In his rigid preoccupation with his central dogma, he is ready to sacrifice anything—and democracy i self receives a bad mark because of its require ments of majority rule. It is sad to discover tha "The Constitution of Liberty," as one man see it, becomes the institution of private selfishness.–LESLIE LIPSON, *University of California, Berkele*

Beyond the Welfare State. BY GUNNAR MYRDA (New Haven: Yale University Press. 1960. P xiii, 287. $4.50.)

As is suggested by the sub-title of his boo ("Economic Planning and Its International Impl cations"), the author is concerned with two mai areas of problems that affect politics as much a economics. In Part I, Myrdal traces the origin of economic planning in the relatively advance developed, and rich western countries. He make the interesting point that, paradoxically, economic planning was not planned in the wester nations, but that it happened as a response t concrete circumstances. Myrdal finds nowhere i the works of Karl Marx the term "economic planning," and he suggests that, in expressing "belie in reason as an independent force in history (p. 7), planning emphasizes the non-deterministic conception of history, and is thus essentiall uncongenial to Marx's thought. Far from bein the result of abstract ideologies, economic planning in the western nations developed in reactio to the force of events, both external and internal On the external side, there were the series o international crises, civil and international wars and world-wide depressions of the last fifty years internally, the changing role of the market, th decline of traditional values and mores, the pressure for greater equality, and the need for mor rapid economic development are some of the mai forces delineated by Myrdal in this connection.

If Part I is of main interest to the student o ideas and of economic and institutional patterns o the last fifty years, Part II of *Beyond the Welfar State* is of more immediate and topical concern Here Myrdal examines the effect of economi planning in the advanced nations on each othe and, more important still, on their relations wit the underdeveloped, or poor, countries outside o the communist orbit. As Myrdal sees it, one of th main international problems raised by the growt of economic planning in the rich western nation is the fact that the "democratic Welfare state i the rich countries of the Western world is protectionist and nationalistic" (p. 162). The greate internal integration of the western nations is thu accompanied by the growing external disintegration of the international community of nations and this process is being accelerated by the fac that the advanced nations improve their economi well-being at a relatively fast pace, while th nderdeveloped nations remain stagnant, or proress only very slowly. Most Americans will agree ith Myrdal that it is probably unwise and posbly unfair that the United States should alone arry the burden of economic and social aid to he underdeveloped countries: "It is not fair, and ever will be felt to be fair, that a man who lives n Stockholm, Geneva, or Brussels should not hare the burden of aid to underdeveloped couneries equally with a man in the same income racket living in Columbus, Ohio, in Detroit, Iichigan, or in Denver, Colorado" (p. 253). What needed is a growth of a sense of international olidarity, able to overcome the well-entrenched nd well-organized special interests in individual ations. This is not a choice of moral alternatives, ut of survival or further disintegration and haos.—WILLIAM EBENSTEIN, *Princeton Univerity.*

ntelligence and Democratic Action. BY FRANK H. KNIGHT. (Cambridge: Harvard University Press. 1960. Pp. vi, 177. $3.75.)

This volume is made up of six lectures delivered t the University of Virginia in the spring of 1958. he lectures were taped, and the volume is an eded transcription. There is considerable repetiion, and there are digressions in the development f the themes that may have been easier to follow n a lecture. For Professor Knight, intelligence onsists in following the axioms of economic analsis, and the question is posed whether democratic ociety can adhere to the public policy principles hat emerge from those axioms. The answer has wo facets that are not always easily fitted toether. It is clear that Professor Knight has the trong conviction that the traditional principles f economics are valid, for every so often he comes p sharp and restates them. It is equally clear hat he brings a vast erudition to explain the arieties of experience in our western culture. He ites philosophical, jurisprudential and psychoogical analyses as easily as he does historical, ociological or economical ones. Far from conrming his conviction this erudite survey shakes ne's faith in the validity of the economic axioms. rofessor Knight's erudition, furthermore, undernines his concept of intelligence, for his explanaion of developments in western culture really oints to a need for non-economic axioms. His emarks are always keen and pointed. His bent s towards the thoughtful and reflective. He has ot tried to provide a means by which those who lo not read difficult books can find a route to ntelligent democratic action. Nonetheless it is not vholly clear that he is a pessimist about such a oute being found.—CHARLES B. HAGAN, *Uniersity of Illinois.*

The Public Finances. BY JAMES M. BUCHANAN, Richard D. Irwin, Inc., Homewood, Illinois. Pp. xvi, 553. ($7.25.)

Recent developments in the theory of public finance, stimulated primarily in this country by Samuelson and Musgrave, conceive of government, apart from regulatory activity, as divided into three "branches" or "budgets." The first of these is the provision of collective goods and services. The second is stabilization of levels of economic activity and the third is redistribution of income. Stabilization considerations are examined in a framework of national and regional employment and price level goals and the techniques that are available for reaching the goals. Income distribution must rest ultimately on the value judgments of the electorate expressed, however imperfectly, through the political process. The provision of collective goods and services should be ruled by efficiency considerations. The choice between public and private goods rests on the relative benefits to be conferred by each, with dependence on individuals as sovereign consumers to make such choices. The financing of collective activities should be fiscally neutral, that is, generate a minimum of dislocation in the private sector by interposing few burdens on incentives to work, save and invest.

Buchanan's public finance text, intended for undergraduate use, is developed within this general framework. The volume starts with a general description of the public economy and its contrast with the private sector. This is followed by sections on budgeting, fiscal policy, federal expenditures and taxation and the national debt. The last quarter of the book is devoted to state and local finance and intergovernmental fiscal relations.

The student of political science will not find here an approach to public finance that stresses legal institutions, or the procedures by which taxes and budgets are formulated, adopted and executed or the administrative considerations that influence policy. But the political scientist will find here an excellent introductory statement representative of the current thinking of a significant group of public finance economists. The book is very readable. Buchanan does not depend heavily on formal model building and there is no tendency to subsume the whole of public finance under the head or either micro or macro economic theory. In some cases Buchanan has views that are sharply at variance with those generally extant, and while he is careful to warn the reader of this, no effort is made to present other and divergent points of view. To quote, "My responsibility. . . is . . . fulfilled when I state that competent economists and scholars disagree with certain of these conclusions. Since I do not share the opposing views, any attempt on my part to present them would seem to be unwise." (p. 110n)

The major criticism to be leveled against the volume is that of uneven treatment, at least as compared with other recent public finance texts. Some topics that are neglected or treated with great brevity are metropolitan area finance, death and gift taxes, and social security taxes. Other topics are developed well and at adequate length —the balanced budget theorem and fiscal neutrality, for example. His refreshingly candid approach is unfortunate in such areas as the treatment of the national debt where he concludes, among other things, that the debt burdens future generations. But at least he has provided appropriate occasions for the classroom instructor using this book to fill in the contradictory views by means of supplemental lectures—JESSE BURKHEAD, *Syracuse University*.

Harriet Martineau: A Radical Victorian. BY R. K. WEBB. (New York: Columbia University Press. 1960. Pp. xiii, 385, $5.00.)

In the nineteenth century, America was visited by a host of distinguished commentators who braved the uncertainties and inconveniences of the Atlantic voyage to see first-hand the great experiment in democracy. While most of these travelers were men—one thinks of Tocqueville, Dickens and Bryce—a few curious and courageous women made the journey and in their published observations left their mark in American history. Such a woman, a remarkable and eccentric woman, was Harriet Martineau, who spent a year in America in 1834–1835 with what is still an impressive itinerary. She traveled from New York to Massachusetts, to Niagara, to Philadelphia, Baltimore, Washington, Charlottesville, Richmond, Charleston, Columbia, Augusta, Montgomery, Mobile, New Orleans, Lexington, Kentucky, Cincinnati, Detroit, Chicago—all with various expeditions on the side—and reported her observations in *Society in America* and *Retrospect of Western Travel*. But this was only one brief phase of Miss Martineau's active life.

In *Harriet Martineau: A Radical Victorian*, R. K. Webb has gathered up and knit together the multifarious phases of her career. While as Professor Webb notes, his book may serve as a biography, it is really a study in intellectual history, a study of the background and forces that shaped Victorian radicalism. Miss Martineau thought of herself as a woman of high principles, a point she made incessantly clear in her copious correspondence. And as she moved through her enthusiasms of anti-slavery, free trade, Unitarianism, positivism, phrenology, necessarianism, mesmerism (to name a few), she saw herself as acting in terms of the scientific principles whic were revealed by clear thinking. Her extraordinarily successful *Illustrations of Political Economy* her translation of Comte's *Cours de Philosophi Positive*, her *Health, Husbandry, and Handicraft* and her *Household Education*, were, along wit her numerous other writings, efforts to teach th ignorant masses and the prejudiced aristocrac the right principles.

In his evaluation of Miss Martineau, Professo Webb found her an articulate spokesman of he class and her age. Her *Illustrations of Politica Economy* were successful because this manufacturer's daughter in this rising industrial era hi the market at the right time. "The tales ar important," Webb notes, "not because the taught political economy, but because the evoked a response. A society in conflict was tryin to find a way out through what we might cal informal education." (p. 124) Miss Martineau wa a popularizer of the beliefs that were becomin increasingly acceptable in her age. "We are livin in a remarkable time," she wrote in the prefac to her translation of Comte, "when the conflic of opinions renders a firm foundation of knowledge indispensable, not only to our intellectual moral, and social progress, but to our holding suc ground as we have gained from former ages. . . The supreme dread of every one who cares fo the good of nation or race is that men should b adrift for want of an anchorage for their convictions." (p. 309) There could be no doubt o Harriet Martineau's convictions on an extremel wide variety of topics, and she felt it her calling with her didactic prose, to help the human rac along in the direction she knew it ought to go English radicals, Webb concludes, were faced wit the problem of creating a belief system for an industrializing society, because it was in Englan that industrialization first took place. They coul not look elsewhere for experience and guidanc but could only formulate "principles" which rigidified into dogma. Miss Martineau was truly Victorian radical; much of this radicalism passed later in the century, into that more common mol called liberalism. Students of political thought an intellectual history will find that Professor Web has contributed a critical, well-written, thoroughly-documented work which will be helpfu toward an understanding of the early nineteent century Anglo-American heritage.—ALAN P GRIMES, *Michigan State University*.

Max Weber: An Intellectual Portrait. BY REINHARD BENDIX. (Garden City, New York Doubleday. 1960. Pp. 480. $5.75.)

Bendix presents a definitive exposition of th thought and main currents of the eminent German sociologist. Because of the widely-ranging scattered, diffuse, and, at points, obscure character of his writings, such a volume has long been needed. The author, Professor of Sociology at the University of California (Berkeley), has the qualifications needed for this task. Having eceived his formative education in Germany, he s completely at home in the historical and intelectual setting in which Max Weber worked. Moreover, trained as a sociologist at the University of Chicago during the active period of the "Chicago School," he has a critical concern for he balance between social and political theory and empirical research. The result is a sympathetic, accurate, and sharply reasoned synthesis of the main themes of Max Weber's lifetime work. Bendix is meticulously careful in separating his own evaluations from his presentation of Weber's theoretical formulations.

The study begins with a brief biographical sketch which deals more with Weber's academic career than with his private life. Part One reviews his early empirical studies in the field of economic organization. Weber started on his route to grand theory by a series of specific economic and social studies of East German agrarian society and the mechanisms of the German stock market. Out of these undertakings grew his interest in the historical development of capitalism and his classic work, *The Protestant Ethic.*

Part Two traces the development of his work on comparative civilization by means of the analysis of religion. Tucked away in this portion of the volume is a chapter entitled "Max Weber's Image of Society," which is an extremely penetrating synthesis by Bendix of Weber's basic orientation to the study of history and social change.

Obviously of special interest is Part Three, "Domination, Organization and Legitimacy: Max Weber's Political Sociology." The framework in which Weber develops his concepts of authority serves to emphasize a modern intellectual theme. Weber sought to join rather than to separate the study of bureaucratic forms to the study of political life. Political science remains uneasy about the intellectual bridges between what is called "public administration" and what is called "politics." Sociology seems to be repeating the dilemma by separating "organizational theory" from the study of political structures and political movements.

This book makes possible a clearer statement of the intellectual debt of contemporary social science to the efforts of Max Weber. But to be indebted is not to be enslaved. In his conclusion, Bendix points out that Weber's approach did not make it possible for him to anticipate the rise or character of totalitarian political systems. Perhaps this is asking too much even of Max Weber. However, the danger exists that Weber's work is becoming a rigidifying influence in current research and analysis. Because Weber focused on bureaucratic organization, his frame of reference permits best a concern with modern society at the institutional level. He was relatively unconcerned with technology and its impact on the nation state. Likewise, there is no room for the autonomy of the smaller social systems, the family, of the network of informal social relations from peer groups to political cliques, or of community based power groups.

Moreover, Weber was committed, and overcommitted by some of his disciples, to the view that social research is concerned with ideal types. But the main aspiration of contemporary social science is to produce an understanding of social reality in more propositional terms. The issue is joined in the empirical works of Professor Bendix himself. Bendix has recently produced two comprehensive studies, one on industrial organization, one on social mobility (together with Professor S. M. Lipset), which draw on the intellectual frame of reference of Weber. Both studies go well beyond Weber's ideal type analysis in their search for a format of empirically based propositions. Thus, Bendix has not only given us a valuable tool for understanding and evaluating Max Weber, but by his own writings has demonstrated how fundamental problems of social and political change which fascinated Weber require ongoing and delimited empirical research.—Morris Janowitz, *University of Michigan.*

Of Man and Politics. By Otto Butz. (New York: Rinehart and Company. 1960. Pp. vii, 296. $4.95.)

Both preface and subtitle ("An Introduction to Political Science") indicate that the author intends this book as a text for the beginning course. In this reviewer's opinion, it is too brief and incomplete to serve such a purpose; it does not present a balanced treatment of the varied facets of political science, and ignores some of them altogether. There is no discussion of public opinion, propaganda, interest groups, public administration, or the problems of modern citizenship. Inadequate emphasis is given to political parties and processes, and no mention is made of the behavioral approach to political science. The author stresses the sociological, but not the psychological, basis and function of politics. The entire subject of methodological problems is brushed aside with the brief statement that they are very difficult. The reader is not told what these problems are, or why they have proved so troublesome.

The organization of the book is essentially historical. Part One deals with the development of liberal-democratic political theory, and accounts for six of the book's fourteen chapters. Part Two, "Contemporary Politics and Government," undertakes to compress within 116 pages the basic political concepts and institutions of the United States, Great Britain, France, Germany, and Soviet Russia, and also to survey the challenge presented by the underdeveloped countries. The concluding chapter deals with "The United States and World Politics."

The book's brevity compels the author to generalize and simplify. Despite the statement in the preface that he has "taken care to explain and qualify . . . intrusions of subjectivity," he too often fails to sound such warnings. The student may easily mistake the author's interpretations for indisputable facts. Oversimplification gives the impression that "liberalism" is necessarily opposed to "democracy" (p. 121), and that the latter is incompatible with "nationalism" (p. 199). Complexities are reduced to "six issues," "three major assumptions," "two reasons," or "one fundamental question." The student is told the "intended import" of the writings of Karl Marx (p. 125), and that "it is, above all, because British society has been less completely democratic socially and culturally that it has been able to operate more effectively as a democracy politically" (p. 180). The book is also marred by several errors of fact (see, e.g., pp. 171, 174, 233).

Footnotes are scanty, reading lists brief and often ill-assorted. The author frequently quotes from secondary works, even when the original source (*e.g.*, John Stuart Mill, *On Liberty*) is readily available (p. 124).

However, the author deserves praise for several excellent passages which deftly characterize a trend or an era. He is at his best in the chapters tracing the evolution of political theory, which, taken together, constitute a good introduction to that subject. He also ranges over many of the major issues of today. He presents incisive analyses of modern France and Germany, and of the role of Marxism in the USSR. The task which the author set for himself was formidable and the sin of generalization inescapable. The latter might however, have been mitigated by a more careful regard for the semantic problems inherent in any discussion of concepts.—CARLTON C. RODEE, *University of Southern California.*

A History of Political Philosophy. BY HENRY J. SCHMANDT. (Milwaukee: Bruce Publishing Company. 1960. Pp. viii, 504 $5.50.)

The publisher claims that this book "adds a new dimension to the study of political theory. . . . " The author is more modest and disclaims any "pretense to originality of interpretation or profundity of analysis." He offers this book primarily as a text for college students and it should, therefore, be judged on that basis. Twenty-three chapters cover the main political thinkers and some of the lesser ones from the ancient Greeks to the present. Each chapter ends with a brief summary and a bibliography. The treatment is expository, following quite faithfully though in simplified fashion what the various thinkers said. Somewhat more background material and personal data on the thinkers reviewed are included than are usually found in comparable texts. There is an Appendix which lists for each chapter the classics which are obtainable in paperback editions or other inexpensive forms. Dr. Schmandt's book should serve reasonably well the purpose for which it was written by supplying a concise exposition to tie together for students parallel reading in original sources and secondary treatises.—RENÉ DE VISME WILLIAMSON, *Louisiana State University.*

The Correspondence of Edmund Burke. Vol. II (July 1768–June 1774). EDITED BY LUCY S. SUTHERLAND. (Chicago: University of Chicago Press. 1960. Pp. xxiii, 567. No price.

For the six years covered by this volume, Burke's political correspondence was concerned primarily with the affairs of the East India Company and with the more general issue of the hopelessness of being in the opposition under the existing political arrangements in Britain. The Rockinghams, as a protest, even considered seceding from an entire session of Parliament but wisely dropped the idea. The American colonies were not a critical issue in British politics during the early 1770s. But Burke, writing as agent for New York, reported that colonial agitation against the Tea Act (including the Boston Tea Party in late 1773) had stirrred up a strong popular opinion against America. This subject should get top billing in the next volume of this splendidly edited series.

The references to the drafting and reception of the *Cause of the Present Discontents* are disappointingly few. When the pamphlet appeared in April, 1770, Burke wrote that it was the "Creed of Our Party," but all we have here are obscure progress reports to Rockingham.

In 1768 Burke bought The Gregories, a 500-acre estate just 24 miles outside of London. From this time forward, Burke was a landed proprietor. His letters are filled with agricultural news and even plans for the breeding and racing of horses. How he paid for his estate remains unclear, but his perennial financial problems are very evident from his correspondence.—STANLEY D. ROSE, *U. S. Department of Justice.*

The Manchester School of Economics. By William D. Grampp. (Stanford: Stanford University Press. 1960. Pp. vii, 153. $4.00.)

The Manchester School, which, says Grampp, "forced Great Britain to repeal its corn laws" (p. vii), was united on no other issue, specifically not on laissez faire. It was composed of five groups: selfish businessmen seeking their own nterest; humanitarian businessmen interested in the welfare of their workers; pacifists, such as Cobden, wanting through repeal to increase interlependence among nations to create a strong economic interest in peace; Philosophic Radicals, applying utilitarianism to political issues; and middle-class radicals, supporting free trade in much the same spirit that they supported parliamentary reform, abolition of slavery, etc. The profit-seeking businessmen who put up the money were too timid to act on their own; it was the radicals who furnished the energy and the courage. Thus, it is a mistake to regard the Manchester School as dominated by self-interest; furthermore, it failed to get the support of the working class, which stood to benefit from repeal, but won the support of farm laborers, tenants, and small landowners, who stood to lose. The School did not have the support of the economists, whose ideas furnished ammunition to its opponents. Repeal of the Corn Laws in 1846, eight years after the School may be said to have begun, was part of a long-time trend towards free trade and resulted, among other reasons, from belief it would increase national income and from distress due to crop failure in 1845.

Proper appraisal of this readable little book requires the knowledge of the historian, the political scientist, and the economist. Since I am only the last, I shall merely certify that Grampp's economic analysis (none of it especially difficult) seems perfectly sensible.—Rendigs Fels, *Vanderbilt University*.

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JULIAN FELDMAN
University of California, Berkeley

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AMERICAN GOVERNMENT AND POLITICS

Historical Statistics of the United States: Colonial Times to 1957. Prepared by the *Bureau of the Census with the Cooperation of the Social Science Research Council*. (Washington: Government Printing Office, 1960. Pp. xi, 789. $6.00.)

This volume, the second in the Historical Statistics series issued by the Census Bureau as a supplement to the annual *Statistical Abstract of the United States* (the first was published in 1949), includes and expands the more than 3000 time series contained in the first and adds a number of new subjects: consumer expenditure, social security, education, crime, recreation, religion, climate distribution and services, business population, corporate assets, research and development, private insurance, armed forces and veterans, and a separate chapter on colonial statistics. The main "Elections and Politics" series, in addition to the material covering the 1946–1956 period, have been expanded to include a state breakdown of the party electoral vote and popular vote, and to give the national party vote for House of Representatives since 1896. The volume represents a fine example of collaboration between federal, private philanthropic (Ford), and university-professional personnel and funds in the planning, processing, writing, coordinating, and editing phases of the project. Not the least valuable features of the work are separate, chapter-bibliographical notes giving the sources for each tabular series. All-series begin with the most recent year of available data and run backward in time; coverage for the most part is restricted to continental U. S. (*i.e.*, excluding Alaska and Hawaii); in general, only annual or census-period data which cover at least 20 years are presented; series selected for inclusion are confined to those regarded as of major importance in each field; and emphasis is placed on presentation of absolute rather than derived or relative data. The Census Bureau, the S. S. R. C.'s Committee on Historical Statistics, and the more than 125 specialist-consultants certainly deserve special commendation for their collective product, and all social scientists will unite to urge that decennial volumes will be forthcoming from 1960 forward.

The 1956 Presidential Campaign. By Charles A. H. Thomson and Frances M. Shattuck. (Washington: The Brookings Institution. 1960. Pp. xv, 382. $5.00.)

This book contains a fairly detailed account of Presidential politics in 1956: the pre-convention maneuvers, the events of the conventions, and the development of issues and tactics in the campaign itself. Its structure is mainly chronological, beginning with a brief account of politics from 1952 to 1955 and following this with chapters about the main events of 1956 arranged mostly in order o their occurrence. It concludes, however, with three analytical chapters on money and media, on the structure of the vote, and on an interpretation of the course of events.

While the coverage is more complete than has been customary in most books heretofore written about Presidential elections and while the style and presentation are somewhat more sprightly and interesting than somewhat comparable books written about campaigns of the last generation this is unfortunately an unsatisfying book. In their preface the authors announce that they resisted the temptation to omit "interpretation not fully supported by logic and data." One might reasonably expect, therefore, to find some considerable effort to pry into the inner secrets of events and motives. Yet there is less of this than is to be found in the post-election interpretations in newspapers and journals. Indeed, there is hardly a fact in this book not previously published in newspapers and hardly an interpretation not previously published in such books as Mazo's on Nixon or in such journals of opinion as *The Reporter*. Even the analytical chapters at the end are almost entirely dependent for facts and interpretation on essays previously published in this Review. In short, this is a compilation from a few newspapers and journals; it is mostly concerned with the surface of events, but occasionally borrows an interpretation from a more inspired source. It is, however, reasonably objective—if that is a virtue—except where it devotes nearly a full page to the trivial testimony before the Democratic Rules Committee by Mr. Paul David, who, the preface tells us, had an "unwavering belief that the project [*i.e.*, this book] was worth carrying out."

Since it contains so little that is new, it is difficult to understand why this book was published. The only purpose it can serve is to save a few historians in the future the trouble of searching through the same newspapers—and it could serve this purpose equally well were it put on microcards and the fact of its existence and location recorded in bibliographies. Altogether it stands as further evidence—if any were needed—of the unwisdom of the late Mr. Robert Brookings in providing that the decision on publication rest in the same persons as originally authorized the research.—William H. Riker, *Lawrence College*.

Dimensions of Congressional Voting: A Statistical Study of the House of Representatives in the Eighty-first Congress. By Duncan MacRae, Jr., with the collaboration of Fred H.

GOLDNER. (Berkeley and Los Angeles: University of California Press. 1958. Pp. vii, 188. $3.50.)

This monograph makes an impressive contribution to our knowledge of the legislative process and to the methodology of legislative behavior. It is an attempt to apply Guttman scale analysis to the roll-call votes of a single session of the U. S. House of Representatives in order to develop and test hypotheses about the nature of representation and the processes of legislation. Through the sophisticated use of statistical techniques, MacRae is able to shed new light on old hypotheses concerning the influence of party and constituency, interest groups, reference groups, seniority, and political careerism. He makes a strong case for the hypothesis that with great consistency congressmen place themselves on scales in relation to the existence of audiences or groups that are potential sources of social control.

The study is also a notable contribution to methodology, for at all stages of his research the author is keenly conscious of the value, limits, and problems of the method he is employing. The student of legislative behavior will welcome the honest appraisal of the advantages and drawbacks of scale analysis in this realm, as well as the careful efforts made to compare this method with those utilized in other studies. Scale analysis gets a strong boost here, of course, but its limitations are clearly laid out, and the claims of different methods receive fair and penetrating analysis.

Parties and Politics in America. BY CLINTON ROSSITER. (Ithaca, Cornell University Press, 1960. Pp. 205. $2.85 cloth, $1.65 paper.)

Professor Rossiter has succeeded remarkably well in covering the principal features of the American two-party system in 200 pages. If compactness helps to explain his success in being enlivening, clarity of thought and depth of understanding help to explain his success in being both broad and incisive in treatment. The material was first presented in lectures at Cornell University in February and March, 1960. The style is decidedly "popular." The contents although neither erudite in presentation nor profound in conclusion are invigorating, refreshing and, at times, challenging. The style and general treatment superficially create the impression the book is designed for laymen. Upon closer examination, however, it is clear that the book is most appropriately designed (as the author occasionally infers) for those who already know something about the party system. The uninformed reader can be misled at some points by the generalizations despite the author's warnings: *e.g.*, that he is skating on thin ice in attributing "an attitude or trait to an entire people" (p. 52) and that he is being subjective, albeit with scholarly support, in listing the good and bad accomplishments of the present major parties (pp. 75–82).

The most frustrating aspect of Rossiter's discursus appears in the middle section of the last chapter, where the subject of party reform is broached. The author probably did the best he could in view of his space limitations, but it is less than satisfying to be told that his prescription for what ought to be grows out of a confidence that "we can have it both ways: a party system that continues to work in its strange, offhanded way for unity of Americans of every section, class, and race and yet gives them a sharper choice of alternatives than it has given in the past" (p. 178). After making the point consistently throughout that the party system is evolutionary, pragmatic and unplanned, it is to be wondered if it can be reformed in the mechanical manner suggested: *i.e.*, that of adding "three tablespoons of discipline and five pinches of responsibility in the glorious stew of American politics, but that we should halt after each addition and taste the stew carefully to be sure that it was not losing its bland but wholesome flavor of compromise, tolerance, and unity" (p. 180). This "stew" analogy assumes a degree of culinary control over the ingredients and a unanimity of agreement among the chefs which neither Professor Rossiter nor anyone else has so far demonstrated.

In these particular pages the author has given us a classic example of the American propensity for composing differences by denying that basic differences exist; he sees nothing really irreconcilable, for instance, between the *Report* of the APSA Committee on Political Parties and those who tore the *Report* apart. The real question raised by party reform, as the author clearly realizes, is not actually the practices of the party system but the practices of our civilization—"the values and folkways of big, bourgeois democracy." (p. 174). Since he assures us that, while discussion of what is wrong with the American people "might be useful and amusing, it is a subject for another book" (p. 174), it may be fair to say that the space allotted in this book is too small for discussing the subject of what is wrong with our parties. To conclude on a positive note, it contains both a pleasing and a surprising expression, from a political scientist, the rare note of pride and satisfaction in things American. It is pointed out that ours is the oldest party system in the world and that, at least, "priority in the development of parties is dramatic testimony of priority in the development of constitutional democracy" (p. 67).—WILLIAM GOODMAN, *University of Tennessee.*

Religion and Politics. By Peter H. Odegard. (New York: Oceana Publications, Inc., 1960. Pp. 219. $5.00.)

It is a pleasure, and duty to recommend this selected group of articles and documents on the sensitive subject of politics, the state, and religion. At the very outset, one is highly impressed by the perspective used to maintain objectivity and to give proper weight to the subject matter. For example, a section illustrating and explaining the historical concept of religious establishment is followed by several excerpts which demonstrate with telling effect how truly complex the topic of religion and the state has been in recent American political history. We are here reminded that prejudice or intolerance may be based on emotion *or* reason and may be positively *or* negatively directed. Certainly it is not meaningful to compare the Ku Klux Klan revival of the 1920's with the desires of ethnic or other population groups for direct representation. The 1928 presidential election, which has been somewhat overanalyzed, is represented only by the 1927 exchange of letters between Governor Smith and Charles C. Marshall in *The Atlantic Monthly.*

The overall organizational scheme combines history and sociological trends characterizing the development of "the religious issue," but is virtually restricted to the United States. Many familiar names appear under the titles of articles or short passages from their books, including Ray A. Billington, Paul Blanshard, James M. O'Neill, Reinhold Niebuhr, Bishop Pike, and the editors of several religious periodicals. For each section the stage is set by short introductory notes, and the author has contributed two articles of his own not previously published.

In the last section, Professor Odegard has assembled a number of current newspaper and periodical articles on the topical issue of religion in the 1960 presidential campaign. The arrangement and tone of these tends to be such that each advocate of a position on the different facets of the subject can find sustenance. The implied conclusion, subject to the truism that electorates can be fickle, is that the decision to elect a Roman Catholic for President is the responsibility of the electorate, will probably not be determined by bloc voting, and should be the subject of public discussion.—Dwynal B. Pettengill, *Morgan State College.*

Intergovernmental Relations in Review. By William Anderson. (Minneapolis: University of Minnesota Press. 1960. pp. xix, 178 $3.25) and

Intergovernmental Relations As Seen By Public Officials. By Edward W. Weidner. (Minneapolis: University of Minnesota Press. 1960. pp. ix, 162 $3.25.)

Professor William Anderson speaks like a person of deep and sincere conviction in his *Intergovernmental Relations in Review.* His three decades of dedication to this subject seem synthesized in this monograph. It is the best that has been written on this complex and controversia subject and in addition it is stimulating to further thought and action. Sometimes in a whole book only three or four ideas seem worthy of further exploration. In this monograph every chapter has a score of challenging statements. The clarity of the statements and their challenge as well are reminiscent of Charles E. Merriam's *Systematic Politics.*

Professor Weidner's work is much more limited in scope. His monograph, number nine in the series planned by Professors Anderson and Weidner in 1946 is, as Professor Anderson says of the first nine publications "limited in scope geographically, functionally, and temporally, to such an extent that, taken all together they do not warrant many broad generalizations about intergovernmental relations generally in the United States, perhaps none." It is a study of national-state-local officials' attitude and action based on two questionnaires to Minnesota officials of all levels and functions of government.

Both Professor Anderson and Professor Weidner make the point that officials, as they professionalize, tend to group with other officials in the same functional areas, and to draw away from the other officials in their own city, county, or state. Grants in aid and professional organizations have contributed to this tendency toward "vertical functional integration." This reviewer agrees but thinks the activities of paid organization executives and their professional or association jealousies may have some bearing on the functional interest as opposed to across-the-board local or state interest. This concept has added significance in view of Professor Anderson's statement, "... people ... are the real actors in intergovernmental relations. ... It is human beings clothed with office who are the real determiners of what the relations between units of government will be."

Some of Professor Anderson's conclusions or inferences may shock some of the "stodgy club members" who have accepted for a generation without challenge some important generalizations in the subject area of this monograph. Among such are these: "But it would be hard to name any major issue on which governors have materially influenced the general trends in intergovernmental relations," page 15; "national-state legislative relations have been developed ... at both the state and national levels without an obvious need for any new device or organization to facilitate them," page 78; and "... interstate agreements whether formulated as compacts or n other ways, simply cannot match in effectiveness a single national law carried out by a single national administration.", page 85.

Interstate compacts have received attention out of proportion to their importance, implies Professor Anderson. His thinking and the attitude of all other students will be violently reaffirmed or denied as a result of the Congressional contempt citations voted against three officers of the Port of New York Authority at the instigation of Congressman Celler in August, 1960.

Among the subject areas considered as well are local legislative delegations, national-local relations, state-local relations, and inter-local relations. The discussion of metropolitan problems in Chapter 8 is one of the best current statements on this much talked about subject.

"The Federal equilibrium and the states" considered in Chapter 9 was probably the hardest to write. After a historical discussion of the subject Professor Anderson treats the fiscal equilibrium, the political equilibrium, the legislative balance, and the strengths and weaknesses of the states. He concludes that the balance of constitutional powers has shifted to the national government and that the constitution was not viewed by its drafters as a compact to establish a Federal system with an agreed equilibrium of powers between the national government and the states. He concludes with these words: "The American people have come to take their federal system of government too much for granted. In my jugment, this is not safe for any people to do."

Many, many other parts of these books deserve mention, study and criticism. In Professor Weidner's book with its limitations both as to subject matter and locale, the research methods alone make it worth while. Professor Anderson's conclusions and suggestions are portrayed in the clear, firm, but kindly manner that has been typical of his life and his work. No scholar concerned with intergovernmental relations—and this should include every American political scientist—can consider himself up to date until he has read and thought about the contents of this book.—CARL H. CHATTERS, *Chicago, Illinois.*

The Autonomy of Public Colleges: The Challenge of Coordination. BY LYMAN A. GLENNY. (New York: McGraw-Hill Book Company. 1959. Pp. xix, 325. $5.95.)

This volume was written by a political scientist under the auspices of the Center for the Study of Higher Education at the University of California at Berkeley and supported by the Carnegie Corporation. It deals specifically with the problems involved in governing the multiplicity of higher education units in the various states that have been or remain essentially autonomous when a coordinating arrangement for policy formulating and for rating purposes has been established or whose creation is being attempted. The very subtitle of the book implies that coordination of otherwise autonomous units is desirable, and that attempts at improvement must be continued in those states with existing systems of coordination and the further effort to secure such systems should be continued in other states where autonomous public colleges exist. While it is difficult to find a very strong and consistent statement to this effect, it seems safe to conclude that by implication the author is of the opinion that public higher education will not meet the challenge of the future unless adequate coordination devices and methods are found and used.

The book in reality is a detailed study of twelve selected sample states. These states amongst them all have one of the three major types of coordinating systems identified by Dr. Glenny. These types in terms of their legal bases are voluntary agencies (usually made up of institutional representatives and/or the various trustee board representatives); governing agencies (where a single body on a statewide basis is responsible for the governing of all the units, at least all of the same types of units, as in New York and California); and thirdly, the coordinating agencies (single function agencies designed with different degrees of power to produce an integrated system while the several units are themselves responsible for the day-to-day operating decisions, *e.g.*, as in Oklahoma and New Mexico). In three main parts of the book, Glenny discusses the development and organization of these various types of agencies in the sample states; he provides us with an evaluation in which he applies standards of judgment to the inter-relationships of the central agencies, whether the problem of diversity vs. standardization is being adequately handled, the relative merits and disadvantages of governing as opposed to coordinating agencies, and the question as applied to formal or voluntary agencies of coordination. Much of the analysis is based on first-hand interviews with the many actors in the situations discussed in the various states.

Upon reading Glenny, one must conclude that all is not well with the government and intergovernmental relations of our autonomous public colleges and universities. While there are no standards for adequate sampling here, one would be inclined to generalize that the picture drawn of the state of affairs where attempts at coordination have been made or are under way, is generally true of all such states, and that the government and administration of higher education in those states that have not tried to rationalize their expanding systems is in an even worse state.

This is a good book and a competent professional study of government in an area that we political scientists should perhaps have paid more attention to in the past. We need more studies in depth of individual and special situations in various states and institutions of a case complexity. Also, we still lack a clear analysis of the role of faculties in the establishment of academic policy in the growing and expanding systems where coordination is required. Glenny makes reference to the problem in several ways and at several points in the book, but he does not come directly to grips with the basic question for which most working faculty members or (or ought) to exhibit concern. As our public systems of higher education become so large and such an important factor in state finances and consequently in state politics and bureaucratic rationalization, how will the desired role of the faculties as *the* determiners of educational objectives be effectively maintained? Political scientists ought to be concerned with an issue of this kind, and we are indebted to Lyman Glenny and to others now working in this field who, by pioneering studies, have helped to educate the "educators," and have pointed to political process and decision-making problem areas close to home that deserve the attention of some of our best minds in this society and at this time. —SEYMOUR Z. MANN, *Southwestern Illinois Campus, Southern Illinois University.*

Water for New York. BY ROSCOE C. MARTIN. (Syracuse: Syracuse University Press, 1960. Pp. viii, 264. $5.00.)

River Basin Administration and the Delaware. BY ROSCOE C. MARTIN, GUTHRIE S. BIRKHEAD, JESSE BURKHEAD, AND FRANK J. MUNGER. (Syracuse: Syracuse University Press, 1960. Pp. xii, 390. $5.00.)

Few areas of resources administration have had as much attention paid them in recent years as the public management of water resources. These two volumes are significant examples of this concentration. The first offers a study in the state administration of water resources and the second an analysis of perhaps more difficult problems of river basin administration.

Of course, water resources management long has been regarded as significant in the West. Until recent years, with the exception of flood control, far less attention has been paid this resource in the East. That political scientists should turn their attention, as the group responsible for these volumes has, denotes some measure of the impact of current problems such as urbanization, multijurisdictional administration, industrial development, recreation, and all of the myriad aspects of twentieth century society upon traditional patterns of government.

Water for New York is primarily concerned with the administration of its water resources by a single state. The pattern of administration, thrown against a background of the state's water resources, its program and the administrative organization for carrying out the program, and the law dealing with water resources is illustrated by action in four case studies covering water supply, river control, stream pollution, and water power. The general theme is one of need for proper management rather than of insufficiency o the resource.

River Basin Administration and the Delaware as the title denotes, is essentially a regional study Somewhat the same pattern is followed as in the New York study; the environmental setting, the relation of government and area, legal bases of action, and organizational forms are each considered. Two additional parts of the study merit close attention. One is the careful consideration of the fiscal aspects of river basin administration the other an analysis of the considerable American experience in this field of administration.

So far as state water resources administration is illustrated by the New York study, Martin identifies four major areas of study: (1) an appraisal of the water resources, their potential for development, and the economic and social questions involved in additional development; (2) the entire subject of state water-resource programs, including "the validity of the separatist approach when weighed against the total need" and the process by which decisions are made in the field of water resources; (3) the part which government will choose to play with respect to water research and (4) the New York system of water resources law, which may require reconsideration. His proposed program of action recommends the creation of an "exploratory" Water Resources Commission by statute to consist of citizens "who have demonstrated their interest in public affairs through significant lay (uncompensated) public service." Presumably this commission would answer the major questions raised by Martin, including definition of an adequate water resources policy and of adequate administrative machinery and procedures to meet the new goals.

Concluding that some significant functions in the Delaware basin are being ignored or poorly administered, that the current machinery of government is inadequate to meet emerging needs, and that an administrative agency with basin-wide jurisdiction is required, Martin and his associates in *River Basin Administration and the Delaware* propose a two-phase organizational plan. The first would be the federal establishment of a Delaware River Agency for Water (DRAW), to have federal representation appointed by the President and state representation from the interested states, nominated by the respective governors and appointed by the President. The commission would possess important organic powers, argely of a planning, informational, and co-rdinating nature as well as of control over withdrawals and water diversion in specific cases. Phase 2 proposes a federal-interstate compact to stablish a Delaware River Commission (DRC) o examine such problems as the desirable limits of federal participation in DRAW, methods of achieving uniformity in the water resource laws of he four states, creation of a system of controls for water withdrawals and diversions, financing of the agency, and means of assuring the responsibility of the DRC. Suggestions are also made for implementing the two sets of proposals, which are obviously a large order.

The two volumes constitute expert investigation of the water resource problems of New York and of the Delaware River Basin. They merit more than the trite comment that they are valuable additions to the literature of the field. They offer the basic information and raise the issues which necessarily must precede intelligent planning and adequate governmental action. The appeal of both volumes is the same: the essential unity of water-resource problems whether in a state or a river basin. Though any observer of governmental administration may take exceptions to the arrangements proposed in the two studies, water resources in all of the states and most of the river basins, the Tennessee Valley excluded, will continue to be administered in disjointed fashion until the concept of dealing with water problems as a unit is recognized. Until then the people will continue to be denied the full benefit of a basic resource.—ROBERT B. HIGHSAW, *University of Alabama.*

Old Age and Political Behavior. BY FRANK A. PINNER, PAUL JACOBS, AND PHILIP SELZNICK. (Berkeley: University of California Press. 1959. Pp. xi, 352. $6.00.)

This is an extensive study of the California Institute of Social Welfare and its leader, George H. McLain. The Institute was formed in 1945; and at the time of this study (1951–1954) had 65,000 to 75,000 members, most of whom were recipients of Old Age Assistance. Its professed aim was to advance the claims of the aged for more favorable treatment, specifically to seek improvements in the state Old Age Assistance program.

The membership figures are obviously impressive, and the authors set out to discover why so many old age pensioners found the McLain organization attractive. A questionnaire was sent to a random sample of OAA clients and to a random sample of CISW members. McLain's speeches and the organizational activities of the CISW were also analyzed. The authors state, "In our view, status-anxiety is a common characteristic of all the pensioners potentially interested in McLain's Institute of Social Welfare. It reaches far beyond the confines of the organization. Slight privilege (in regard to benefits under the law) is a common characteristic of those pensioners who can be most easily activated." (p. 107)

Leading questions in this study are: (1) does a socially dependent and isolated group develop a characteristic leadership? (2) is it likely to engage in "irresponsible" action? In regard to the leadership question, the hypothesis is offered that the leaders of groups like that under study are likely to be independent of their followers, deviant from them in terms of social background and personal characteristics, marginal in terms of the larger community, and possibly exploitive in relation to their followers. The investigation found that the CISW membership was highly dependent upon McLain, "the indispensable leader"; he was not representative of the group; he was marginal in the general community; he was not markedly exploitive in relation to his followers despite the suspicion of many Californians that he was.

The idea of "responsible" and "irresponsible" action is not fully defined. The terms "responsible" and "moderate" are obviously interchangeable in various places. Yet in their use of the terms "responsible" or its antonym "irresponsible," the authors apparently mean more than "moderate" or "immoderate." In the introductory chapter irresponsible action denotes action without regard to the claims of other groups and in that sense immoderate; in the concluding section it appears that immoderate action is characteristic of mass movements and, therefore, action which is at least potentially destructive to the political system itself.

The question whether a group like the CISW is likely to engage in irresponsible action is approached by asking whether it is a mass movement. The criteria used are whether its members have a high degree of commitment to it, low interpersonal experience within it, and low rationality in explaining it. There is some basis for affirmative answers. However, the claims of the members were seen to be "conservative," that is, limited; and experience showed that members of the CISW gave relatively little support to McLain when he engaged in activities not obviously related to their pension claims. In addition, the CISW consistently placed heavy emphasis on economic goals although attainment of these goals was certainly not the only purpose of its members in belonging. The authors' general conclusion comes in the form of a question and an answer: "Has the marginality of the CISW brought with it any serious threat to democratic political processes? Our general answer must be no." (p. 278)

This is a thorough study of the CISW, its members, leadership, history and organization.

The theoretical discussions are particularly interesting. It is a distinct contribution to our knowledge of group political action and leadership. Perhaps best of all its products are numerous possibilities for further advance in theory and research. —THOMAS A. FLINN, *Oberlin College.*

Southern Tradition and Regional Progress. BY WILLIAM H. NICHOLLS. (Chapel Hill: University of North Carolina Press. 1960. Pp. xix, 202. $5.00.)

This is a challenging and well-written book addressed primarily to the South by one of her and the country's leading economists. Its theme is even more a matter of concern to the South's publicists and political and business leaders than to her social scientists. Its purpose is to account for the slowness with which the South's economy has progressed over the past 75 years and to indicate the steps that must be taken if this economy is to keep pace with that of the rest of the nation.

The lag of per capita income in the South behind that in the rest of the nation is traced largely to the slowness of urban-industrial development in the South. This slowness is traced in turn to the South's adherence "to a set of values inconsistent with a high rate of industrialization." These values, together with their institutional consequences, may be assembled into "five principal categories: (1) the persistence of agrarian values, (2) the rigidity of the social structure, (3) the undemocratic nature of the political structure, (4) the weakness of social responsibility, and (5) conformity of thought and behavior." Each of these categories is dealt with in detail in a separate chapter.

Professor Nicholls' findings flow in part out of a notable series of studies of economic development in selected areas of the South, done by himself and several of his students.

In a lengthy closing chapter the author indicates what steps need to be taken if the South wants economic development instead of "progress by drift" ever subject to interruption by demagogues. It is essential, above all, that the race issue be sufficiently solved. Facilitation of industrial-urban development entails greater support of industrial development commissions, expansion of the power supply, better disclosure of information respecting agricultural underemployment, and improved educational and health facilities. Facilitation of the outmigration of surplus farm population entails, besides an expanding national economy and adequate federal support of Southern education, removal of oligopolistic and monopolistic barriers to employment of underemployed rural people, improvement of the U. S. Employment Service, and positive assistance to employment-seeking outmigrants. Facilitation of the movement of additional farm capit into low-income rural areas entails better adapt tion of short-term credit-services to the needs of progressive Southern agriculture, community wide longer-run planning of needed agricultur adjustments, and considerable augmentation the supply of long-term capital. Unfortunatel the author does not sufficiently condemn the present federal agricultural-support program, th funds absorbed by which might well finance th removal of underemployed persons out of Southern agriculture.

There is much in this book of interest to th modern student of politics, whether of the Sout or otherwise. There is in particular the impact o race and tradition on the Southern political structure and conception of government. There is als the challenge involved in innovating political arrangements suited to implement the measure proposed by Professor Nicholls.—JOSEPH J SPENGLER, *Duke Univeristy.*

The Southerner as American. EDITED BY CHARLE GRIER SELLERS, JR. (Chapel Hill: The University of North Carolina Press. 1960. Pp. 202 $5.00.)

This is a collection of nine, somewhat uneve essays written from "the standpoint of the Southerner as American." All nine of the authors (white and Negro) were born, reared, and largel trained in the South, although some are now livin north of Mason and Dixon's line. All share common approach to southern history. Professo Sellers, who is editor for the group, explains, "Al of us do not agree with everything that is said i all the essays, but . . . we all agree that the mos important fact about the Southerner is that h has been throughout his history also an American."

The first essay, "As for Our History" (John Hope Franklin) sets the tone for the book as a whole, a sceptical and critical examination of the southern "cult of history" that was more sentimental myth than scientific scholarship. "Only as the South understands what it has been can it come to know itself well enough to value and preserve the valuable in both its Southernism and its Americanism, while discarding the attitude and habits so long and so fatefully perpetuated by false history."

The remaining essays take a "hard look" at: "Americans Below the Potomac" (Thomas P. Govan), Southern sectionalism at the beginning of our more perfect union; "The Travail of Slavery" (Charles Grier Sellers, Jr.), the "peculiar institution" which tore the southern conscience and stored up guilt feelings for generations to come; "The Southerner as a Fighting Man" (David Donald), the cause that was lost, chiefly because f southern ambivalence toward the principles of emocracy and the practice of aristocracy: "Reonstruction: Index of Americanism" (Grady IcWhiney) wherein Southerners "accepted more olorblind democracy than they could have been xpected to . . . and would have accepted more han they were forced to;" "The Negro as outherner and American" (L. D. Reddick); "An merican Politics for the South" (Dewey W. rantham, Jr.); "The Southerner as American Vriter" (C. Hugh Holman).

George B. Tindall's essay, "The Central Theme evisited" states the basic dilemma: "While the merican as Southerner has been unable to shake ff the pro-slavery argument, the Southerner as merican has never abandoned the American redo." The analysis is discerning and provocaive but it stems from an oversimplified assumpion of *the* American Credo. From the standpoint f realism, there is no typical Southerner; this is he central theme of the book to dispel the false mage of monolithic unity, to underscore the iversity of southern experience, to point out that 'the southern way of life has involved infinitely nore than a system of segregation and proscripion." From the same standpoint, however, there s no one American; there are many and they are o less American because they hold diverse beiefs and run the whole gamut of human behavior. ccuracy would seem to require the plural aproach, "Southerners as Americans," but this peraps implies a complicated counter-theme that oes beyond the scope of these brief essays.

The essays are much too brief; scarcely more han a preliminary statement of point of view and urpose. The footnotes, however, are generous nd, if pursued, will give the reader new perpectives on the meaning of "southernism" past nd present. Since the authors are all historians, he main view is looking forward from the past. nd it is good sometimes, especially for those of s who are more preoccupied with the present, to ave some better understanding of the prologue o our problems.—MARIAN D. IRISH, *Florida State niversity.*

ontempt of Congress. BY CARL BECK. (New Orleans: The Houser Press. 1959. Pp. xii, 263. $4.50.)

Professor Carl Beck of the University of Pittsurgh has brought together a useful compilation f the prosecutions for contempt of Congress. Combining the historical, legislative and legal approaches in an analysis of the power to compel testimony, he has focused on the exercise of this power since 1945. This has inevitably meant concentrating on the House Committee on Un-American Activities, the most active investigating committee ever established by Congress. "From 1945 to 1957 it held at least 230 public hearings, at which more than 3,000 persons testified, of whom 135 were cited for contempt."

Generally critical of the Committee, as are most students of its record, Beck emphasizes that Congress itself cannot avoid a major share of responsibility. The parent body has never precisely stated the Committee's purpose, only a handful of members have been courageous enough to criticize its behavior, and the House has "approved most automatically all contempt citations placed before it." Between 1945 and 1957 some 226 contempt citations were presented by fourteen committees to both Houses. Few were debated and none was defeated. From 1787 to 1943, there were only 107 prosecutions for contempt.

For Congress to argue that a passive role in the contempt process is justified because the courts will ultimately resolve the issue is a denial of responsibility. The solution, according to Professor Beck, is for Congress to apply four criteria. First, the power to cite for contempt should be utilized only to obtain information directly related either to the formulation of legislation, or to the supervision of federal agencies. Second, the witness should be carefully informed of the relevance of the inquiry. Third, contempt citations should be used only to coerce information, and not for punitive purposes. Four, Congress should, as it did more often prior to 1945, use the occasion to examine the issues at stake and review the functions and behavior of the responsible committee. This would mean, in effect, returning to the practice that existed before 1857, when contempt was established as a statutory crime and major responsibility for its determination was shifted from Congress to the courts. Professor Beck is convinced that for the House and Senate to conduct their own proceedings would enhance the use of contempt citations as an effective means to compel a witness to testify. For "the act of arresting an individual and bringing him before the bar of Congress often had the effect of transforming his prior recalcitrance into cooperation."—H. H. WILSON, *Princeton University.*

The First and the Fifth. BY O. JOHN ROGGE. (New York: Thomas Nelson & Sons. 1960. Pp. ix, 358. $8.50.)

This new book by a former Assistant Attorney General is a strange mixture of good and not so good. It seems to consist of a series of incidental essays, held together only by a common concern with civil liberties. Many of the essays are of no more than peripheral value, and the author's style is excessively dry and technical. On the other hand, the two longest chapters in the book are quite worthwhile: they concentrate on the development of "the right of silence," *i.e.*, the right to refuse to testify. There is some excellent historical investigation in these chapters, containing much information that heretofore has not been easily available. In general, Rogge desires a broad right of silence and believes that, if anything, the Supreme Court has not gone far enough in this direction.

This reviewer finds it hard to agree with Rogge's contention that the First Amendment rights should mean something less for the states than for the federal government. Such an argument, if based purely on constitutional grounds, may have some validity. But Rogge attempts to buttress his position (speaking particularly of sedition and obscenity) by the use of an "insulated compartments" theory borrowed from Holmes' version of the commerce power. This argument starts out by saying that after all a violation of human liberty in one state is not as serious as if it were performed by the federal government affecting the whole nation. But surely individual liberties, if they mean anything, are as important for small groups as for large ones; and in addition, what one state may constitutionally do, all may do—so that *all* states now have obscenity laws, not just one or two. Often these laws have less regard for procedural protections and for individual liberties than a federal law would have.

Perhaps the major difficulty with this book is that the author nowhere articulates a philosophy of liberty; as a consequence his arguments (however praiseworthy) hang precariously suspended in midair. It is not enough nowadays to believe in civil liberties: a writer has some obligation to present a basis for his beliefs.

This review could not be complete without the remark that the book contains absolutely the worst, and hardest-to-use, footnote arrangement that the reviewer has ever seen: not only are the notes collected at the back of the book, but they are not numbered, there are no footnote marks in the text, and they are so closely packed that it is next to impossible to find anything.—LOREN P. BETH, *University of Massachusetts.*

The Supreme Court and Civil Liberties. BY OSMOND K. FRAENKEL. (New York: Oceana Publications, Inc. 1960. Pp. vii, 173. $1.50.)

In May of 1937 the American Civil Liberties Union published a 43-page pamphlet entitled *The Supreme Court and Civil Liberties* by Osmond K. Fraenkel, a member of the New York Bar and of the Union's board of directors. In an easy style Mr. Fraenkel reviewed the status of civil liberties as of that date, discussing some eighty Supreme Court decisions in such a way that a layman could easily understand the extent to which his liberties were and were not protected by the Court. In celebration of the Union's Fortieth Anniversary Mr. Fraenkel, now the Union's gener counsel, has brought out his seventh edition this pamphlet, covering cases through June 195 In keeping with the development of the interve ing years the little pamphlet has grown to a 17 page book covering over 700 Supreme Court case

But even though it has grown it has not ke pace with the growth of the subject matter, a the result has been an increasingly cryptic trea ment of the material. The language has becon technical, and little appears of the backgrou of the decisions or of the reasoning upon whi they are based. Gone, too, are the author's evalu tions, and more and more cases appear only footnote numbers, rather than being mentione by name in the text; few are those explanato statements which help a novice to find his w in a new field. The result has been somewhat reduce the area of usefulness of the book. T student of a particular aspect of civil rights w find the treatment too brief, while the uninitiat layman will find it too cryptic and technical.

Despite these drawbacks the book makes se eral useful contributions. Those who follow t development of civil liberties will find the book fruitful summary of recent developments. T them the succinct treatment will be an asset, e hancing its usefulness as a reference volume, an its 700-odd cases will provide an excellent chec list of the highlights in the field. In addition to subject-matter index, an unusual table of case lists the cases, grouped by subject, in the ord in which they were decided. Thus it is possible t trace the development of a particular area of civ rights at a glance, or compare its chronologic advancement with that of other areas. The auth quotes from a number of the Court's better stat ments on civil rights, both majority and minorit opinions, and the cases favorable to civil righ are starred in the table of cases.

Jacksonian Democracy and the Working Class. B WALTER HUGINS. (Stanford University Pres 1960. Pp. vi, 286. $6.00.)

Density, sometimes excessive density, of dat is the leading characteristic of this study of th "workingmen"—a reformist movement in Ne York City in the Jackson era. The author, Columbia-trained historian now at San Jose Stat College, California, uses a combination of histor ical, "career-line" or biographical, and statistic methods to explore the subject. In general, h conclusions mesh with the Columbia school o interpretation of Jacksonian democracy as a bottom an impulse to self-advancement and socia mobility, rather than an agrarian or proletaria crusade. One after another of the leaders whos careers are catalogued, for example, are show seeking or achieving an advance in status.

Beginning with the rise of the Workingmen's arty as an organized group in 1828 and 1829, Mr. Hugins traces its flirtations with the National Republicans and the Jacksonian Democrats—or heir flirtations with it. He goes on to the workingmen-Democratic coalescence of the early 1830s nd its disruption, and then shows us the re-emerence of the workingmen's forces as Locofocos in he conservative-Locofoco factionalism of the Democratic party in the middle 1830s. Offering as ar as the data will allow careful biographical atalogues and statistical-occupational analyses f the workingmen leadership and membership, he reveals how broadly the movement itself construed the term "workingman"—it included in ubstantial numbers, for example, such petty ntrepreneurs as grocers, as well as journeyman arpenters or masons. Finally, Mr. Hugins discusses the great causes of the workingmen's reormist impulse, from the attack on the Bank of he United States and support for Jackson's veto, o the complex, multi-faceted general issue of 'monopoly," or the demand for a mechanic's lien aw. Again, the author contends, the tone is more one of "the desire for equal opportunity to become capitalists themselves," than an expression of 'proletarian animosity to the existing order."

A final chapter offers a statistical survey of New York City voting behavior as it is correlated with socio-economic data, and concludes that the workingmen's movement and vote was an effective goad toward making the Democratic party n New York a force for "equal rights," in Jackson's terms—construed by the author as "the protection and enlargement of freedom of opportunity."

Seeking light on the larger panorama of American political development, the political scientist may wonder if the detail Mr. Hugins marshals is always evidence for his reiterated narrower emphases on workingmen-Democratic reformism as a proto-capitalist impulse. It might better be interpreted, on the author's own data, in terms of a rather more mixed and ambiguous bag, including varied liberal, humanitarian, and democratic—as well as entrepreneurial—ingredients.—WILLIAM NISBET CHAMBERS, *Washington University (St. Louis).*

Pennsylvania Constitutional Development. BY ROSALIND L. BRANNING. (University Park: Pennsylvania State University, 1959. no price.)

Here is a useful monograph for those interested specifically in Pennsylvania politics and generally in the role of the constitution in American state government. Its theme could be described as "the more things change, the more things remain the same."

Miss Branning describes the Pennsylvania Constitution of 1874 as an heroic attempt at political and governmental reform, written and passed over the objections of the railroad companies and of political leaders and public officials with a vested interest in the arrangements provided by the Constitution of 1838. Despite recurrent and obvious need for modifications in the last 40 years, every effort to obtain basic revision of the present Constitution has been frustrated by conservative business and political interests and by the new set of public officials created or maintained by the Constitution of 1874.

A moral of this study might be that it is futile to restrain dynamic political power through static devices like constitutions. To be sure, there was no effective countervailing force to business interests in Pennsylvania politics of 1874. Agriculture has never been an organized political force in the Commonwealth, and labor did not become an important factor in state politics until New Deal days. In addition, Pennsylvania did not have a two-party system at that time, nor was such a system to develop for another eighty years. If the raw political power of business and finance was to be limited by any means, the only available recourse was to a device given almost mythological powers by the success of the Federal Constitution. In this instance, however, the available recourse was foredoomed to failure.

Most of the reasons causing the reform movement of 1870's to find expression in a constitution noted largely for restrictions on legislative and executive power, no longer pertain. Other organized interests in the state now compete on relatively equal terms with business. A two-party system has been developing for the past decade. As Miss Branning implies, it is high time that the Gordian knot of innumerable state problems be attacked. This requires a basic revision of the Constitution of 1874 by means of a Constitutional Convention whose efforts would be submitted for ratification to the voters of the Commonwealth.

One topic for research suggested by this volume is a study of the interest groups in Pennsylvania opposing or supporting current moves to draft a new state constitution. Such a study would be most valuable in determining the nature and direction of the educational campaign necessary for the success of constitutional revision.—EDWARD JANOSIK, *University of Pennsylvania.*

Jumbos and Jackasses. BY EDWIN PALMER HOYT, JR. (New York: Doubleday & Company, Inc., 1960. Pp. 505. $5.95.)

As the subtitle suggests, this is "a popular history of the political wars," at least to the extent that wars are usually conducted in terms of strategic deployments and fought by people. The author has, however, based his version of the party struggle since 1860 strictly on strategy or personalities, and not at all on the far more important reasons for, the consequences of, or the significance of, his subject matter. Indeed, to say that "the story of American politics is the story of the give and take of the Republican and Democratic parties . . . " is to express at the very most only a mild tautology. Political scientists must take issue with the implicit assumption that the story of American politics can be told in meaningful fashion by describing the antics of successive loose conglomerations of fun-loving political Rovers. Our political system is rooted in the functioning of a federal state, is subjected to the control and influence of a plural people and a particularist ideology, and relates itself to the quest for individual self-fulfillment which characterizes the basic social aspirations of enlightened people. Briefly, the political system has developed to reflect these facets of our national existence. Even the admittedly brain-washed of our televiewing citizenry watches the quadrennial political pyrotechnic display and asks *why* it should be so. The present effort would attract far more interest were the answer to the preceding question hinted at ever so slightly.

Bristling with imaginative and far-ranging adjectives, the author's "history" proceeds by way of what the reader assumes must be paraphrased newspaper accounts or other sources, none of which are ever identified. Emphasis throughout is placed on gimmickry and on the campaign stories to which dramatic details have been added as a result of repeated undocumented retellings. The most glaring inaccuracy describes the Sherman Adams resignation in 1958 as the result of implication in "a case of influence in Congress." It would seem that a minimum expectation for any book would take as a point of departure the universal rule of beginning, middle, and ending. There is neither beginning nor ending here. The level of analysis is indicated by the one succinct conclusion, that the two party system is firmly ingrained and a permanent fixture of national political mechanics. Only for those who seek merely the eye-catching incident, or who wish to step lightly into the political past of this country, can these assorted items of information listed in a chronological review of presidential campaigns be designated as "history."—DWYNAL B. PETTENGILL, *Morgan State College.*

Les États-unis. BY ANDRÉ TUNC. (Paris: R. Pinchon et R. Durand Auzias, 1959. Pp. iii, 286.)

The traditional preoccupation of the French people with their own national life and its antecedents, to the virtual exclusion of "derivative" cultures, has left a void in their understanding of American institutions which, to them, seem r mote indeed from the main stream of Fren intellectuality. As the author of *Les États-un* aptly puts it, the "United States in many wa remains a mystery even to the cultivated man

Professor André Tunc's book appears at a opportune time when French interest in Americ institutions has been stimulated by the advent the Fifth Republic, coupled with a mood of looki more inquiringly at the world beyond Fren borders. Perhaps for the first time since de To queville, a Frenchman has written in French f Frenchmen not only an authoritative analysis the structures and processes of American gover ment but also a brilliant interpretation of t American political background.

In good French fashion, Professor Tunc labe Part I of his book "Histoire et Cadre Sociolog que" and briefly discusses American political e perience from the colonial period through th Convention of 1787. A second chapter deals wi the evolution of the Constitution to the prese while a third one discusses basic demographi religious, and economic elements of America public life—a discussion of uniformity, regiona ism, and classes which will doubtless intrig French readers. Part II, "Les mecanismes de vie politique," covers parties and elections, Co gress, the President, Federal administration, th courts, and the role of the states.

The author's perceptive grasp of America institutions is clearly shown in his discussion federalism. Recognizing the depth of French i comprehension of the importance of the states i American life, he skillfully explains their role an justifies the system in terms of American expe ience. Admitting that confusing diversity exis from state to state on such matters as marriag and divorce and that great disparities exist i governing competence, Professor Tunc remind his French readers that the states' retention important governmental functions satisfies th American's interest in local affairs and thus con tributes "to developing in him the feeling o community and an interest in political life whic represents a very auspicious element in the Na tion's life." (p. 263)

Because he knows his subject thoroughly an writes both fluently and well, Professor Tunc i able to perceptively compress many complicate facets of the American system into a brief space On several occasions, he has been resident lecture at the University of Pennsylvania's Law Schoo and is fully at ease in the use of idiomatic English With his able and charming wife, he is co-autho of a two-volume study—in French—on the Amer ican constitutional system. He has also writte various articles on different phases of America government. His being a Professeur à la Facult e Droit et des Sciences Economiques de Paris ves to his book the status needed for full accept- nce in a country where scholarship is highly re- arded. It is most fortunate that interpretation of merican government and politics for French cholars and students is in such competent hands. —R. WALLACE BREWSTER, *The Pennsylvania tate University.*

overning America. BY THOMAS H. ELIOT. (New York: Dodd, Mead & Co. 1960. Pp. xxii, 742. $6.95.)

This is another textbook on American national government—and a good one. It includes the conventional topics, does not shun institutions, ut gives ample attention to behavior, both group nd individual. One might quibble on some points; might wish, for example, that the author had iven more space to finance, and that he had indi- ated, in his excellent chapter on judicial review, ow an interpretation of a statute may produce he same results as a finding that it is unconstitu- tional. The author's style is informal, even con- ersational, and effective. He chats along with the tudent like this—"What about an easier way to horten the Convention . . . ?" (p. 48). "You believe in" free speech "because you like to be able to say what you think—it's a free country, sn't it?" (p. 148). Considering the author's audable interest in helping the student as much as possible, it is somewhat surprising that he often uns for five or more pages without a subheading. The defects of this well-written volume are minor, however, and it will probably take a place among the standard textbooks in the field.—CLAUDIUS O. JOHNSON, *Washington State University.*

State and Local Government: A Study in the Political Process. BY CHARLES R. ADRIAN. (New York: McGraw-Hill, 1960. Pp. viii, 531. $7.50.)

This book deserves the careful attention of political scientists, for it is clearly more than a textbook in state and local government. Professor Adrian of Michigan State University has demonstrated effectively how current research in the social sciences can be incorporated in a textbook. He has, moreover, succeeded in presenting state and local government in a perspective which is consistent with the main stream of contemporary political science.

In his discussion of intergovernmental relations Adrian avoids the pitfalls into which so many who have labored in the state and local field have fallen. He betrays no special commitment to local government against state government or to state government against the national government. Instead he indicates the importance of state and local government within the increasingly dominant system of cooperative federalism. Similarly, Adrian's discussions of forms of government begins by cautioning readers that structural arrangements neither guarantee nor prevent good government. Throughout the book the author clearly sets forth the contemporary issues in the subjects presented.

Those who may consider adopting this work as a text would be well advised to note carefully some of its distinctive features. First, the introductory chapters present a diverse collection of basic material in the social sciences which may be more than one wishes to use in a state and local government course. There is further a question whether one can successfully present so much diverse material in such a brief space. Second, the space devoted to such diverse subjects as American intellectual history, propaganda techniques, etc. reduces the space which can be devoted to the traditional functions of governments. There are only four chapters on these traditional functions: education, health and welfare, land and water, regulation and safety. Third, Adrian has integrated his presentation of state and local government; for instance, mayors and governors are presented in the chapter on executive officials, and city councils, county boards, and state legislatures are presented in the chapter on legislative bodies. While there are excellent reasons for this outline, the text would not be appropriate for institutions which offer separate courses in state government and in local government.

More important within the context of what the author intended to do is an omission in his discussion of intergroup activity and political power. He begins his discussion with the explanation that state and local politics "operates largely in the same manner as it does for the selection of congressmen and Presidents and in determining national policies. Only the emphasis and the relative balances of forces are changed." It would have been consistent with the book's scope to have followed this discussion with a systematic analysis of how the emphasis and relative balance of forces are changed from national to state politics. The author's insights based on his experiences in Michigan politics, especially in the governor's office, have enriched the book considerably; but it is also possible that these experiences have led him to stress—in spite of many careful qualifications—conflict between business and labor more than would be observed in many other states. For this reason particularly the book would have been improved by a systematic analysis of the differences between national and state politics.

The book has an impressive bibliography in the footnotes and a detailed state by state bibliographical appendix.—WILDER CRANE, JR., *Vanderbilt University.*

America's Foreign Policy. Edited by Harold K. Jacobson. (N.Y.: Random House, 1960, Pp. xi, 756 $6.50 text.)

This volume of readings is presented in the conviction that "foreign policy can and should be formulated democratically," and that the function of political scientists as teachers is to assist in clarifying and raising the level of public debate. The selections deal with the framework of dem cratic policy-making, the environment of wor politics, and a series of long-range and topic problems of American foreign policy. The autho speak with authority, controversially, but rel vantly, and invariably on the level of fundament ideas. The result is useful not only as a suppl mentary text but for reference purposes as wel

SELECTED ARTICLES AND DOCUMENTS ON
AMERICAN GOVERNMENT AND POLITICS

Franklin L. Burdette
University of Maryland

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FOREIGN AND COMPARATIVE GOVERNMENT

The British General Election of 1959. By D. E. Butler and R. Rose. (New York: St. Martin's Press, 1960. Pp. viii, 293. $6.75.)

The fifth in the Nuffield College series on postwar parliamentary elections in Great Britain continues the scholarly, descriptive, analytical pattern of the previous volumes. Two textual innovations are a chapter on social changes in the electorate and one on the "projection of party images." The analysis reflects increasing recognition of television and sample survey research. In 1960, political strategists will be particularly intereste in the special studies of the Conservative party' success in capitalizing upon economic prosperity and a vigorous antinationalization campaign. Psephologists will be more interested in the evidence and validity of the concluding judgment: "In 1959, the Conservative party showed itself *superior to* Labour in the use of public relations and in constituency organization, while the Labour Party was *better than* (italics mine) the Conservatives in coordinating its national campaign and in its television broadcasts."

efeated Leaders. By Rudolph Binion. (New York: Columbia University Press. 1960. Pp. viii, 425. $7.50.)

This is an unusual, ambitious and absorbing ook. It is a comparative biography of Joseph aillaux, Henry De Jouvenel and André Tardieu, ho were prominent in Third Republic politics ter 1900 but whose ability as statesmen Profesr Binion believes was wasted. His theme is that ese were men of remarkable talent, but the gime did not permit their talents to be fully ercised. He is well aware of the men's own ults, but he attributes to vices of the regime the eater share of responsibility for what he elieves was France's loss: "... any tension beveen a regime and its vital elements argues first gainst the regime ..." (342).

What was worst in the regime, according to rofessor Binion, was its fear of strong personalies and what he calls "politicalization": the ractice of judging proposals on the basis of who ade them rather than on their intrinsic merits, s when the Radicals refused to join Tardieu when e presented their own program. Both conditions xisted, but would these men have gained and eld positions of national leadership under a ifferent system? The argument that the men ere defined in reaction to the regime is strengthed by the difficulty of picturing them in another etting, but the case for De Jouvenel is not as rong as that for Caillaux or Tardieu. Could he ave stood the confines of even an English-style arty? And did he have enough zest for political ombat? Some of his views were far-sighted and ound, but conciliation was his principle of operaon, while even in better tempered chambers an those of the Third Republic, it is precisely e far-sighted policies which must be pursued ith doggedness.

Caillaux's story is the most interesting. De ouvenel was not so much defeated as he did not cceed in leading; Tardieu was defeated decively, in the customary confusion; Caillaux's fate as worst of all: he was tamed, but only after he nd Clemenceau had brought France to one of its re political forks where the choice is between vo men and two policies. Professor Binion shows at by 1917 Poincaré knew that the choice was etween Caillaux and Clemenceau. Poincaré hose, and Parliament supported, Clemenceau. aillaux was made to suffer, but is it enough to ttribute his treatment to fear of strong personalies or "politicalization?" Professor Binion gives different and convincing explanation of why lemenceau had him brought to trial. And while is nationalist enemies no doubt feared his trength, did they not do so all the more because hey opposed his policies?

Tardieu fits the author's theme best. He fought hardest to change the system, and his career brings the question of an alternative regime into sharpest focus. Could there have been any other system? The question is still of central importance today, and the reader who is primarily interested in French politics since World War II will find the section on Tardieu highly relevant.

Much careful scholarship has gone into this book, and Professor Binion is a talented writer. He sometimes makes the regime explain too much, but his biographical studies are excellent. With remarkable economy, he perceptively interprets both episodes and lifetimes.—Roy Pierce, *University of Michigan.*

Are We Good Neighbors? By Donald M. Dozer. (Gainesville: University of Florida Press. 1960. P. xi, 456. $8.00.)

Cuba—Anatomy of A Revolution. By Leo Huberman and Paul M. Sweezy. (New York: Monthly Review Press. 1960. Pp. 176. $3.50.)

Dealing with the period 1930–1960, the vital contemporary events of the salutary Good Neighbor developments and the disenchantments of the Good Neighbor Second Class, Donald Dozer's book is a major contribution to the literature of inter-american relations. Very striking is the wealth of material taken from an extraordinarily large number of Latin American newspapers. At important milestones in the history of recent inter-american relations, Professor Dozer produces the thinking of newspaper editors and other publicists from many parts of Latin America. The effect is to give a special flavor lacking in most works in this field. In two chapters, entitled "Yanqui Traits" and "Illusion and Disillusion," can be found much of the cultural and economic background for the difficulties between the United States and Latin America. In the final chapter is a lengthy run-down of the whole complexity of the problem together with the advice that the "best policy for the United States to follow toward Latin America is a middle course between neglect on the one hand and intervention on the other." The author suggests of course that this will require great skill and a widely disseminated educational approach. Professor Dozer supplies an excellent bibliography especially rich in three areas: the identification and description of newspapers from every Latin American republic, Latin American books and articles, and official publications of the U. S. Departments of State and Commerce and various inter-american conferences.

If Dozer's work is an exercise in the general, Leo Huberman and Paul M. Sweezy, in their *Cuba: Anatomy of a Revolution,* is an exciting and provocative exercise in the particular. The authors, co-editors of the socialist *Monthly Review,* declare that the Cuban Revolution is being badly misrepresented by "bourgeois reportage and scholarship" which is enslaved by "fetishes of bourgeois thought." They write that the revolution, contrary to the typical reports in the United States, is successful and has its own deep roots without the necessity for Communist nourishment. On the latter point, the authors state that there is a coincidence of socialist aims in Communist and Cuban revolutionary developments; but, although Communists have joined the revolutionary ranks with understandable enthusiasm, one can no more expect Cuba to become a Communist satellite than one would expect Yugoslavia to become a satellite of the United States. The book is about equally divided between a narrative of the revolutionary triumph (including lengthy consideration of Fidel Castro's famous courtroom address: *History Will Absolve Me*) and the subsequent institutionalization of the revolution. The latter describes glowingly the justification for, and the promise of, the agrarian reform and other revolutionary projects such as the educational and housing programs. Undoubtedly the authors have tapped something close to the truth about the Cuban socialist revolution. Clearly the Communist factor has beclouded a genuine groundswell particularly from the peasantry. The most serious omission is the authors' neglect of the matter of revolutionary leadership in Cuba. They glorify it perhaps unduly and express scorn for the items of experience and professionalism in public administration. By just doing "what needs to be done," it is argued that the revolution will succeed. There is no assessment of the difficulties presented by the possession of enormous power by a few revolutionary leaders and the possible consequences of it. As a whole, this little book, however, should be prescribed reading in the United States for it provides some basic information and judgment necessary to the understanding of the Cuban revolution.—R. A. Gomez, *University of Arizona.*

Arms and Politics in Latin America. By Edwin Lieuwen. (New York: Frederick A. Praeger, Inc. 1960. Pp. xiii, 296. $4.75.)

This study by Dr. Edwin Lieuwen of the University of New Mexico,[1] is really two books of varying nature and, unfortunately, of differing quality. The first portion deals with the characteristics and roles of the twenty armed force establishments of Latin America. The second deals with the policy which the United States has followed and should follow with regard to these establishments.

The principal difficulty with the first part is largely methodological. Dr. Lieuwen is a historian by training and, it may be inferred, resists instinctively the sweeps of generalization like to be near and dear to the political scientis heart—with due regard for the facts, of cour This first part is essentially an effort at study a phase of comparative government. It is high detailed but from a point of selection whi tended to escape this reader, and seemed inco clusive. A detailed case study of the Mexic experience shows greater analytic depth. On t whole, however, this is a chronicle. Real an ysis has not really been achieved because fund mentally there is no conceptual framework.

In the second part, however, Dr. Lieuwen working as a student of international relation Following a recounting of United States poli since 1898, Dr. Lieuwen asks and answers a seri of hard-headed questions. He had observed ea lier, for example, that social change is occurri in Latin America, and that the military oft plays a role in this change.[2] He then asks whe this country's policies place it in this situatio What, in fact, has been the real goal of our pol cies? The answers are not really startling; our pol cies have at base been political, not military, an they have helped the wrong people do the wron things, while accomplishing almost nothing what we said we wanted. Dr. Lieuwen conclud that Mr. Nixon's unpleasant experiences in 195 could very well be only the beginning.

When he attempts to recommend for the f ture, Dr. Lieuwen gets into familiar difficultie Greater economic aid for Latin America, eve though the proposed uses of this aid—and tec niques of administering it—do not seem to squa with our own views, is an abstract ideal whic would pick up plenty of Congressional oppositio unless the current subterfuge of the use of agri cultural surpluses via Public Law 480 is used eve more widely. A policy of grin and be toleran when and if a demagogic simpleton like Fid Castro comes along, may be too much to ask. phasing out of military aid and missions to Lati America, without causing those countries to g running to Mr. Khrushchev—who probably woul be only too happy to help them—would appea to be a complex and very subtle policy, and diff cult to adminster. Yet obviously it is easier to b critical than to offer suggestions.

On the whole, therefore, Dr. Lieuwen seems t this reviewer to have offered sound bases for hi foreign policy conclusions, but cannot be con sidered to have done all that was needed in hi mparative analysis of military establishments. ese problems stand out, however, and the contribution is therefore very useful.—PHILIP B. YLOR, JR., *Tulane University.*

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[1] See also Dr. Lieuwen's recent international relations stud for the Senate subcommittee on American Republic Affair *Post World War II Political Developments in Latin Americ* (Washington, D. C., 1959).

[2] The argument presented is developed in greater depth i John J. Johnson, *Political Change in Latin America, the Rise o the Middle Sectors* (Stanford University Press, 1959), the writin of which appears to have been coincident with Dr. Lieuwen's.

pan's American Interlude. BY KAZUO KAWAI. (Chicago: The University of Chicago Press. 1960. Pp. vii, 257. $5.00.)

From the time, 100 years ago, when Japanese d Americans first made official contact, the tter have demonstrated an ambivalent attitude ward the government and politics of Japan. In e generation, it was fashionable to treat the panese state as a picturesque off-shoot of uropean constitutional monarchy, in a sort of pendix to the analyses of orthodox, Western, rliamentary-cabinet forms of government. In a cceeding generation, Japan was thought of as e Far Eastern outrigger of fascism. Even later, pan became the democratized, neutral "Switzer- nd of Asia." Most recently, Japanese political havior has been judged according to whether leans toward pro- or anti-American policies.

Similarly, the Occupation between 1945 and 52—"Japan's American Interlude"—has been rveyed almost entirely from a parochial point view. Although the Occupation was presum- ly an international project, the only official istory of this remarkable experiment in social gineering was written by Americans involved, deed, by the Occupationaires themselves, in the -volume publication by the Supreme Com- ander for the Allied Powers (SCAP), Government ection, *The Political Reorientation of Japan* 1950). There were, of course, journalistic ac- unts like Mark Gayn's *Japan Diary* (1948) and any others, which offered interesting but often nreliable insights. Not one, but two semi-official iographies of General Douglas MacArthur (by enerals Charles Willoughby and Courtney hitney) have proved to be illuminating but carcely objective memoirs. Harry Emerson ildes' *Typhoon in Tokyo* (1954), sometimes ilariously humorous, sometimes brutally bitter, ame closest to reproducing the amazing climate ithin which the Occupationaires operated. Per- aps the most objective and lucid account, Baron . J. Lewe van Aduard's *Japan: From Surrender Peace* (1954), concentrated on the connections ith international politics and offered conven- ional treatment of the Occupation itself.

Professor Kawai, currently professor of polit- al science at The Ohio State University, offers concise and systematic analysis of the actions nd attitudes of the people who welcomed the onqueror within Japan's gate. Born in Japan and ducated in America, Kazuo Kawai served as hief editorial writer for the *Nippon Times* and, ater, as editor-in-chief of the successor *Japan Times* until 1949. Drawing on this unique background, the author has been able to reveal the character of the Occupation in its most significant context as the Japanese lived it, and to analyze the changes the Occupation brought about in the Japanese way of life.

Nevertheless, the strength of *Japan's American Interlude* does not lie solely in Professor Kawai's exceptional ability to project an inside image. It lies in the fact that he has departed so sharply from the largely formal, legal, institutional judgments on the Occupation and has turned to the rich and rewarding areas of political behavior. Nor is Professor Kawai's book without sound factual foundations. There are excellent chapters on the new constitution, the status of the Emperor, economic reforms and recovery, and Japanese-American experiments in educational reconstruction and mass communications.

Below the surface of this wide-ranging and often fresh reinterpretation of the Occupation itself is, however, a bold and on the whole successful attempt to put the experiment in its place. Thus the factual account is sandwiched between some excellent social theory: on the background and character of democratization (Chap. III), the location of political power in Japanese society (Chap. VII), and the nature of social change (Chap. XII). Indeed, Professor Kawai himself ably illustrates the strong sense of pragmatism so apparent in the whole process of Japan's modernization. Thus, although the Occupation has been characterized as an "induced revolution," it was not a true revolution in the sense of complete replacement of the old by the new, or of the Japanese by something alien. If democracy, as many Americans assumed, means only the adoption of certain familiar practices and institutions, then the total impact of the Occupation must seem disappointing. If, on the contrary, democracy in Japan is regarded as a dynamic process wherein an interplay of essentially Japanese ideas can be freely worked out, then the results of the Occupation are truly remarkable but only within the long-range context of the transition of Japan's society. Again, " . . . the present movement for the revision of the new constitution and for the modification of many of the political reforms of the Occupation period does not necessarily represent a trend toward complete repudiation of democracy and reversion to traditionalism." (p. 243)

If Professor Kawai has erred, it is not in taking the long-range Japanese view, which is of necessity the only one which is not distorted across cultural boundaries. It may be that he is, rather, overly optimistic in assuming that the Japanese now, like their forebears in the nineteenth century, have ample time for this transition. As

Professor Kawai concludes, the problem of Japan is not only a national but also a world problem.—Ardath W. Burks, *Rutgers University.*

Nationalism and the Right Wing in Japan. By Ivan Morris. (New York: Oxford University Press. 1960. Pp. xxvii, 476. $8.00.)

The competition between the right wing and the left wing in Japan for full exploitation of the nationalist feeling of the people has become keen recently. As Japan has experienced a failure of its ultra-nationalism and undergone the years of Occupation, Japanese nationalism in its post-war form sets many interesting questions. Professor Morris's book is focused on the right wing manifestation of nationalism which to Western minds is often overshadowed by the threat of the extreme left. Following a brief but excellent introduction by Professor Maruyama on the pre-war background of Japanese ultra-nationalism, the author begins his book with observations on the effect of Surrender and Occupation on nationalism and the nationalist groups. Although traditional patterns of nationalism had been weakened, the fusion between democracy and nationalism never occurred in Japan. Nationalism itself did not disappear, it was only 'demobilized,' he says. "The intensification of the cold war which caused changes of Occupation policy served to stimulate dormant nationalist feeling both on the right and on the left" and "conservative government utilizes nationalist sentiment to restore Japanese traditional patterns," he continues. "But nationalist feeling is different from nationalist movement," he claims. "The organized right wing which re-emerged on traditional lines is in many ways attuned to existing nationalist sentiment," but "it suffers from numerous fundamental weaknesses which prevent it from fully exploiting its present strength." As some of the fundamental weaknesses he counts as follows: its vague and reactionary ideologies which fail to attract the youth, the strong personal nature of the groups themselves which prevent it from forming a united right wing front and from developing as a modern mass movement, and its lack of a center of power such as military forces with which it could ally itself as an auxiliary force and through which it could exert considerable influence on the course of events, as it did in the pre-war time. He diagnoses it as having virtually no effect on the course of events in Japan. As for the potentiality of ultra-nationalism, however, "Japan is more likely to swing to some form of extreme rightist politics than to Communism and the right wing would have an important auxiliary service to perform in the process." He further argues in the concluding chapter that this swing to the extreme right in Japan would represent a danger to the entire liberal democratic cause in Asia and to the West second only to the victory of Communis The author collected both interview and doc mentary materials for this book, although th are not always systematically arranged. T Japanese studies on this subject are also w digested into his volume. Despite its merits, t present reviewer regrets that the author fails give sufficient attention to the left wing nation ism as well as to the socio-economic foundation nationalism. The socio-political characteristi and personality structures of the extreme right groups are also neglected. If he had pushed h study further on these lines, his argument wou be much more persuasive.—Ichiro Miyak *Kyoto University.*

Toward Unity in Africa: A Study of Federalism British Africa. By Donald Rothchild. (Was ington, D. C.: Public Affairs Press. 1960 P vi, 224. $5.00.)

Federalism's record as a distinct and enduri form of polity has been made in the prospero countries of the West. A contemporary and mo challenging test of the federal principle is pr sented in the extraordinarily complex problem political integration in Africa and Asia. In ord to discover if there were "uniform motives whi explain the many and varied federation mov ments" in British Africa, Dr. Rothchild e amined, in part on the ground in Africa, thr areas: Nigeria, the Rhodesian Federation, an the British East African High Commissic (Kenya, Uganda, and Tanganyika). His examin tion of Nigeria led to consideration, in additio of the idea and prospects of a united West Afric

The author adopts the traditional distinctio between the decentralizing and enlarging tende cies of federalism and concentrates on the latt which he defines as "the building up of separat political entities into an integrated whole." I Africa, the enlargement tendency is more signif cant because military and economic conside tions will lead to a resolution of the tension b tween local particularism and international pow politics in favor of larger political units. The fe eral embrace, thus, seems to be "a sound com promise with present day realities." Most of th arguments cited in favor of federalism in the Wes will be valid in Africa, and the most commonplac of them, that it accommodates unity and di versity, will have the greatest appeal at the loc level.

Of the three areas treated in the case studie the one which most closely approximates the fed eral process in the West is Nigeria. This is due i great part to the absence of a strong Europea settler group with "nationalist" aspirations lik those of the Rhodesian and East African settlers and the early British policy of making a politica unit of what is today Nigeria. After World War I

itish policy again boosted federalism by, in
ect, equating it with self-government. In the
odesian Federation and in East Africa, the
oblem of integration on a federal basis has been
most intolerably complicated by the identifica-
n of the federation movement, first by one
oup and then by another, as a technique with
ich to seize political control. The federation
ue has sharpened the division of interests along
cial lines in the Rhodesian Federation rather
an encouraging any sense of loyalty to the new
ate. The situation in East Africa is at a still
rlier stage in the possible development of a fed-
al system. The East African High Commission
not clearly a federal authority since it was es-
blished "simply as an administrative union
. . to coordinate the common services in East
frica."

The obstacles to a salutary development of fed-
alism in British Africa, or any part of Africa,
e indeed great. Dr. Rothchild's refusal to be
erwhelmed by these obstacles is due on the one
nd to the implications of the "uniform motives"
hich he has found in his investigations, and on
e other, to his conception of the workings of the
deral process. The "connecting thread" which
sees in African federalism is fear—a fear of
mination on the part of one group by another.
Fear is to African federalism what the profit
otive is to capitalism." This fear is composed of
out equal parts of economic and security con-
derations; the community of interest which
ust underlay any federal system is in Africa the
mmon need for security against external pres-
re, including aggression.

A minor protest might be entered here on the
uthor's view of federalism as an "undeniable
spect of Westernization" in Africa. His descrip-
on of the federalizing process in Africa seems to
ow it as a political experience which is less
Western" than it is universal. The ability to
mpromise grudgingly, as the case studies show,
not limited to the "developed" countries of the
orld. Federalism in the broad sense would seem
be a political arrangement which emerges
aturally, when the conditions are right. There
, on the other hand, little doubt that our defini-
ion of federalism is based predominantly on
Vestern experience. With the publication of this
ook, however, we have available a solid collec-
ion of materials and a thoughtful evaluation of
hem which can only help in broadening that
efinition.—D. R. REICH, *Harvard University.*

moke in the Hills: Political Tension in the Morogoro District of Tanganyika by ROLAND YOUNG AND HENRY A. FOSBROOKE. (Evanston: Northwestern University Press, 1960. Pp. xii, 212. $5.50.)

Despite a misleading title, which in the American context might be more appropriate to a Western novel, Professor Roland Young and Mr. Henry A. Fosbrooke, Director of the Rhodes-Livingstone Institute in Lusaka, Northern Rhodesia, have combined their talents and disciplines in an excellent book. It has a modest focus. The subjects are the farmers of the Uluguru Mountains of Tanganyika who live in a harsh but beautiful environment. Their traditional institutions are decentralized. The web of politics is composed of a mixture of lineage and other traditional elements of rule which by intrigue, custom, and institutional innovation shades into Western bureaucracy and a more modern system of conciliar local government. In the background is the menacing spread of erosion which makes the conditions of life uncertain. Past traditions are associated with a more beneficent fortune and so the past is kept alive. In the future is TANU, the Tanganyika National African Union. The Union demands an end to colonial rule; it wants to Africanize administrative posts, and to expand the network of political controls into the local areas. Some of its effects on the politics of Morogoro are also described.

To disentangle such a complex situation both political science and anthropological techniques have been used to good effect. There is a superb description of the duties and tasks of district officers. As well, we are given a picture of why it was that in spite of the efforts to build local council systems, the Luguru remained apathetic to them. Equally, in the hands of the anthropologist the vitality of traditional life and the structural forms of social conflict are carefully described and related to the conditions under which local government needs to function.

In the course of the book traditional authority and competing political roles of central and local government are considered. A detailed description of the work of the Liwali of Morogoro illustrates the contrast between urban and rural life as well as the actions of party politicians. Through their intimacy with the area the authors are able to demonstrate the passions, motives and levels of action that characterize the people and their political forms.

However, the book is not simply a description of structure and events. Consider the factors examined. Economic conditions, measures of economic reform, legal systems, relations between local government units and the district officer, relationships between township and rural native authorities. These are brought together in a detailed discussion. In describing a dramatic series of riots over land terracing in the Morogoro area, we are shown how such factors can lead to violence. Nor did the issue over land come to a head simply because terracing violated traditions. The authors have shown how it was also a response to bad planning and inadequate supervision by government authorities. Agricultural reform precipitated latent conflicts that had previously been harbored in the lineages and families of this African society.

As a study which sets out to examine politics in a local African community, the book admirably succeeds in its purpose. It is an artful integration of the work of an anthropologist and a political scientist and shows the potentialities of such collaboration for the research worker in Africa. It should be required reading in courses dealing with Africa.—David E. Apter, *University of Chicago.*

India Today. By Frank Moraes. (New York: The Macmillan Company. 1960. Pp. 248. $4.00.)

The Revolt in Tibet. By Frank Moraes. (New York: The Macmillan Company. 1960. Pp. 223. $3.95.)

One of the embarrassing aspects of reviewing popular world affairs books for a professional journal is that quite often reviews of these appear in newspapers and magazines before your own has been written. These books have been almost unanimously praised. One Supreme Court judge called for the distribution of *The Revolt in Tibet* by the thousands. Another reviewer said that Moraes wielded the finest political pen in India after Nehru. Such reviews have overawed this reviewer.

It seems that these books have been written with an American clientele in mind. They echo, more or less, the generally held views of the American liberals. Thus, most of what Moraes says falls on receptive ears in this country. He believes that Nehru has failed the free world by his reluctance to resist international communism; and India's Prime Minister has failed India by moving her along the path of a socialist pattern of economy. A right-of-center government, which may emerge after Nehru's departure from the Indian political scene, may prove remedial. Such a government would offer greater resistance to communism, and would make the public sector beat a retreat before the private entrepreneurs. This, Moraes believes, is the way it should be.

The Revolt in Tibet likewise is a passionate account of the resistance of the Tibetans and the pressures of the Chinese. Nehru is held responsible for failing to recognize Tibet's independence in 1950, and, instead, yielding to the legacy of British imperialism and the rebirth of Chinese imperialism. When Moraes conceives of the Chinese dragon moving south to engulf Sikkim, Bhutan and Tibet, his indignation loses all sense of proportion.

In the opinion of this reviewer Moraes complains much too much. The affairs of Tibet c best be analysed by a reference to the situation Kashmir. An Indian foreign ministry official to this reviewer that the Indian government wou crush any independence movement in Kashm "Look what we have done to the Naga demand f self-determination," he added. The logic of t comment was brutally consistent, and it illu trated the dilemma of modern nations. Kashm has been independent whenever the central a thority in India has been weak; Tibet has been part of China whenever the Chinese central a thority has been strong. Neither a united Ind which is democratic, nor a united China which despotic would allow one of its units to seced This has been the pattern in Asia. Witness t events in Burma, in Indonesia, and in Malay The trouble with the liberal nationalists is th while they criticize the mote in the Communi eye, they fail to take cognizance of the beam i the democratic eye. This is not to say that t mote in the Communist eye should not b pointed out. This is to say that the demand f the right of the Tibetans to secede from China bound to sound hollow so long as this right secession is not granted to the constituent units i a democratic state. This is why, in the opinio of this reviewer, Nehru and Menon have prove themselves to be far more sophisticated studen of diplomacy than liberals like Moraes.

The Revolt in Tibet, minus Moraes' passionat pleas, may well serve as a first draft of the histor of Tibetan rebellion. *India Today,* however, i thoroughly superficial, and, therefore, disappointing. It has neither the perception of Wo fords' *India Afire* nor the candor of Bowle *Ambassador's Report.* Brijen K. Gupta, *Souther Illinois University.*

The Soviet Bloc: Unity and Conflict. By Zbignie K. Brzezinski. (Cambridge: Harvard University Press. 1960. Pp. xxii, 470. $7.75.)

This is a detailed history of the relations between Communist-ruled states, from 1945 up t 1959. Four main phases in the development o these interrelationships have been identified. According to the author, the first phase (1945–1947 was characterized by a diversity of means an methods used by the Communists to consolidat the power of the new Communist regimes established after World War II (Outer Mongolia i omitted from this analysis). This phase wa marked also by a certain degree of restraint o the part of the Soviet Union in relation to thes regimes, owing to the pressures of the existing international situation. Such circumstances brough about both an institutional and an ideological diversity within the Communist camp.

The second phase (1947–1953) was marked b tendency toward uniformity, toward instituonal and ideological Stalinization of the Communist bloc under rigid Moscow control (with he exception of China). This phase was charac-erized also by the formation of the Cominform, s an instrument of Soviet control, and by "Tito-it" reaction against the Kremlin overlordship. 'he third phase (1953–1956) has been under the npact of the events in the U.S.S.R. following talin's death. In this phase the Soviet satellites howed a tendency toward de-Stalinization, leadng toward a renewed attempt to establish instiutional and ideological diversity ("national communism"), as manifested in the Polish events, the Iungarian revolution, and internal Party and overnment changes in most Communist-ruled tates, including the Soviet Union.

The fourth or present phase (1953–1959) is hat of a limited and tolerated institutional di-ersity, combined with an ideological uniformity f the bloc under Soviet leadership, as agreed ipon in the Moscow declaration of November, 957, of all ruling Communist Parties with the exception of Yugoslavia. In this phase, in addiion to Yugoslavia, China and Poland have hown a comparatively greater degree of diversity ind of internal autonomy; while Czechoslovakia, East Germany, and Bulgaria have tended to be nore centrally oriented, with more uniformity ind less local autonomy under a strong Soviet eadership. Hungary and Rumania seem to lie between these two poles.

The author has done undoubtedly a great servce to the students of the contemporary Communist scene by collecting and analyzing the available sources relevant to the history of inter-relations within the Soviet orbit. As such, this work is of outstanding value and has a theoretical as well as a practical significance. Throughout his analysis the author remains detached and objective, unmoved by wishful thinking, as, for instance, his treatment of the Yugoslav case demonstrates.

Such a study could have been perhaps of higher predictive value, had the author undertaken to analyze the organizational, social, and psychological pressures within the bloc, identifying those that are likely to strengthen unity and those that might be likely to favor diversity and eventual disintegration of Communist unity and of Communist regimes. The author has not been unmindful of these forces. The treatment of Poland, for instance—a country whose internal situation the author seems to know most intimately—is, in the opinion of this reviewer, among the best parts of the book. The author, however, claims that such factors are too unpredictable "to allow for much meaningful discussion" (p. 404). But he himself had to point out the importance of these social agents again and again throughout his treatise. Attitudes and values related to nationalism and religion, to the role of the new, rising Communist elites, to relative balance in economic and military strength of various countries within the Soviet Orbit, are directly relevant to the questions of changes in the power-structure of the Orbit. They are relevant also to future relations of Communist-ruled states with the non-Communist world. These problems, however, were not within the scope of the work under review. They are mentioned here only to point out the need for further research in the area covered by the author.—D. A. Tomasic, *Indiana University.*

The Politics of Soviet Education. Edited by George Z. F. Bereday and Jaan Pennar. (New York: Frederick A. Praeger, Inc. 1960. Pp. vi, 217. $6.00.)

Khrushchev likes to repeat Lenin's dictum that bourgeois education "divorced from life and politics is a hypocrisy and a lie." It is, of course, to be questioned what exactly is meant under "life" in a Soviet society which is still striving towards a revolutionary Utopia while for ideological reasons unable and unwilling to paint a faithful picture of itself. But there is no doubt that in a totalitarian society which claims to produce a new type of man education plays a crucial role. The organization, the methods and the results of this education provide a fruitful field for the student of totalitarianism. Unfortunately, the difficulties of recent American observers in approaching Soviet education have been not only the usual obstacles of western social scientists in the Soviet Union but also a certain inability to separate that which is merely traditional (continental or specifically Russian) in Soviet education from that which is genuinely Communist.

Happily, no such pitfalls are noticeable in the present volume, which represents a collection of papers delivered at the Institute for the Study of the U.S.S.R. in Munich by young scholars of diverse national backgrounds who have studied their topics from Soviet sources. Moreover, some of them grew up in Russia, some have lived there for several years, and the rest had recently travelled in the Soviet Union. As the emphasis was intended to be on the "social circumstances amidst which education takes place" in Russia, the book was named *The Politics of Soviet Education.* But, as can be expected from a symposium with contributors from a dozen disciplines, only a few of the papers really concentrate on political aspects of the educational system.

The authors generally recognize that Soviet schools have the twofold purpose of meeting the manpower needs of a modern industrial society and of moulding the character of all future Soviet citizens. This in itself suggests certain contradictions. The only political theme which receives repeated attention in this volume is the tension which exists between the ideological message, expected to instill equalitarian attitudes, and the increasing industrialization and bureaucratization, resulting in growing social stratification. On this account, Professor Bereday (whose paper is the most interesting for the political scientist) finds that the equalitarian ideology opens the door for pressures which can effectively prevent the carrying out of inequalitarian educational proposals, such as "special schools for gifted children," suggested by Khrushchev himself in 1958. On the other hand, isolated samplings (comprehensive statistics are, of course, unavailable) indicate that parents belonging to certain privileged professions will find less difficulty in entering their children into schools which qualify them for continued membership in the profession of their parents. Of interest, is also Jaan Pennar's paper on "Party Control in Soviet Schools." Disappointing, however, are the papers on "Antireligious Education" and on "The Teaching of History," which are written more from the point of view of comparative education. All the papers are well documented.

The symposium as a whole is more useful for students of Soviet education than for those who seek more clues to the Russian political system.—George A. Lanyi, *Oberlin College.*

The Nordic Council and Co-operation in Scandinavia. By Frantz Wendt. (Copenhagen: Munksgaard, 1959. Pp. 247. D.Kr. 14.)

Scratch a Scandinavian and you will find a Dane, a Finn, an Icelander, a Norwegian or a Swede—political loyalty in Northern Europe is lodged primarily in the nation-state. Seen in this context, the development of new organs of intergovernmental or supranational cooperation within Scandinavia is as significant as the growth of Regionalism anywhere else in the world. That the former has received little attention is due, at least in part, to the barrier of language. The book presently under review is designed to lift that barrier, in an introductory fashion, for the English speaking audience. It was written at the request of the Presidium of the Nordic Council and was published by the Council itself. The author has been Secretary General to the Danish Delegation to the Nordic Council since the latter's inception in 1952.

The Nordic Council is an intergovernmental consultative parliamentary organization composed of sixteen members each from the legislatures of Denmark, Finland, Norway and Sweden, and five from the Althing of Iceland, all chosen by proportional representation. It is similar, on smaller scale, to the Council of Europe, althoug Cabinet Members in the Scandinavian countrie participate directly in debates and deliberation at the annual sessions of the Nordic Council. Onl the elected delegates may vote, and their highes decisions take the form of Recommendations t the several Governments.

The first hundred pages of this book sketch th pre-Council history of cooperation in Scandinavia, with chapters on cultural cooperation, legislative cooperation, cooperation in social policy health services, and in traffic and communications. After a description of the origin and structure of the Nordic Council, the author continue the opening chapters under the aspect of th Council. Detailed treatment is given to the protracted negotiations for a common Nordic market now seemingly abandoned in favor of participation in a larger free trade area. [Part of the result of the investigations of the experts into a common Nordic market have been published i English: *Nordic Economic Cooperation*, Report b the Nordic Economic Cooperation Committe (Copenhagen: Schultz, 1958; Pp. 143), and *Supplement* (Copenhagen: Schultz, 1959; Pp. 43).

In addition to being authoritative, Mr. Wendt' book is scholarly and reflects his previous association with the faculty of history at the Universit of Copenhagen. He has avoided any attempt a broader evaluation—perhaps because of his official position. Thus, the limitations of the boo and its virtues are the same: it is a factual an comprehensive general survey of cooperation i Scandinavia, with particular reference to th Nordic Council. It should be of value to student of comparative law and government and t students of international relations, not least fo those of the latter whose special interest is i international organizations. The book has a selected bibliography and an index.—Stanley V. Anderson, *University of California* (Berkeley).

The Social Credit Movement in Alberta. By John A. Irving. (Toronto: University of Toronto Press. 1959. Pp. xv, 359. $6.00.)

In describing the early years, 1932–35, of the Social Credit movement in Alberta, Professor Irving, of the University of Toronto, has been forced to wrestle with a difficult problem in classification. He has had to decide how to set up his study so that his readers may clearly understand how and why the Social Credit movement burst upon the political scene with such vigor as to capture 56/63 seats in the provincial legislature after a short three years of life. The basic question as to what kind of social, political or religious phenomenon was occurring in Alberta has weighed upon Professor Irving's mind and his resolution of the problem has produced a most interesting empirical study and a provocative theoretical treatment.

Professor Irving justly rejects borrowed models for the study of new political movements for he has clearly perceived the peculiar quality of the Albertan phenomenon. I doubt whether anyone n Alberta who remembers the depths into which the social and psychological destruction of the depression cast the Prairies would challenge Irving's primary concentration upon William Aberhart n this study of Social Credit. For the hundreds of thousands who listened to "Bible Bill" Aberhart's Sunday broadcasts from the Calgary Prophetic Bible Institute and for the hundreds of thousands who packed the halls and the school houses of Alberta to hear Aberhart's disciples damning the monetary system and the Eastern Bankers and holding out the promise of salvation through submergence of self in Social Credit, there was no question that William Aberhart *was* Social Credit. The Man and the Movement were one.

The organization of Irving's book is admirably shaped to illustrate Aberhart's creative role. Following a deftly drawn portrait of this figure, Irving vividly describes his 'conversion' to Major Douglas' doctrines of Social Credit and how the first few cautious steps were taken to link his religious following with the disoriented and leaderless supporters of the United Farmers of Alberta. Through this careful description the author clearly shows that the Social Credit movement was built up as an institutional extension of William Aberhart's political personality. Irving skillfully analyzes the character and loyalties of the secondary leadership and records the response of the people to Aberhart and to Social Credit. Irving quotes with effect the recorded views of many Albertans. For example a small-town business man said, "I loved Aberhart. My view is that it's a long time since people have seen a situation in which men 'loved' a man. . . . He had an absolutely great love for the sufferings of the common people. This is what drew me to him." (p. 266) The 'love' that Aberhart inspired was demonstrated in the provincial election of 1935 when Social Credit swept to an overwhelming victory. And, perhaps, the continued hold of Social Credit in Alberta and its extension to British Columbia are testimonies to the memory of Aberhart.

Throughout his discussion of the specific and concrete, Irving tries to remain honest to the uniqueness of the Albertan experience. In his preface he defends this approach by rejecting the use of schematic models:

> The multivalent interpretation of the movement which has been possible in this book casts a revealing light upon the highly simplified and schematic models that contemporary philosophers of science have devised to explain the nature of social causation. . . . Such abstract models have little reference to the actualities of social change. A realistic understanding of social causation cannot be aimed at without such extensive empirical analyses of social movements." (p. x)

In the final chapter Irving offers his suggestions as to how his phenomenological study might be quarried by the followers of the various academic disciplines. He offers suggestions as to how it might be organized for the convenience of a social psychologist; elsewhere he makes allusions to the ways in which a political theorist and a political sociologist might consider the Social Credit movement. But he insists that the study must first stand as the Albertans' "dynamic assessment of the possibilities of their world," (p. 346) before it can be carved up to serve the purposes of academic definition by exemplification.

This is an important book not only for its material but for the thoughtfulness of its conception. My only criticism is that Irving should have expanded the discussion of his method so that we could have benefited from his thinking. I badly missed a constituency map of Alberta.—BARRIE MORRISON.

New Zealand in the Making. BY J. B. CONDLIFFE. (London: George Allen and Unwin Ltd. 2nd revised ed. 1959. Pp. 316. $6.75.)

The Welfare State in New Zealand. BY J. B. CONDLIFFE. (London: George Allen and Unwin Ltd. 1959. Pp. 396. $8.00.)

Both books are distributed in the United States by Macmillan Company.

Until recently the most definitive analysis of the New Zealand economy was, despite its age, J. B. Condliffe's 1930 edition of *New Zealand in the Making*. Professor Condliffe has now expanded this study to review developments until 1957. The resulting two new volumes are companion pieces, with the revised *New Zealand in the Making* forming a basis for discussion in *The Welfare State in New Zealand*. While the major concern is with the economy, there is considerable historical examination of political and social events. Although some rather important activities are not handled in detail, the volumes together give a clear and valuable picture with ample reference to source materials.

The revised *New Zealand in the Making* retains basically the first nine chapters of the original edition. The discussion has been expanded to mention economic events until 1935, when a new period of development was beginning under the Labour Government. One chapter sympathetically and with adequate documentation handles the problems of the Maoris from the time of the English settlement to 1957. New Zealand and British contacts are also vividly demonstrated in this volume by examination of relations between the Dominion's development and British industrial and imperial expansion. Other significant discussions include analyses of early governmental assistance to economic development, problems of land tenure, and the importance of the small farmer on the New Zealand scene.

The Welfare State in New Zealand, which is devoted in part to an analysis of the country's economic structure, contains a major portion of the last six chapters of the 1930 volume, and considerable discussion about developments since that time. One section deals with the impact of the depression, and with the measures introduced to revive the economy. An interpretative examination of the successes and failures of the Labour Government's performance to 1949 is included, with some mention of the activities of the National Government to 1957. A critical review is also made of some special areas of activity such as wage regulation, welfare measures, and the country's relations with other parts of the world. A perceptive discussion about potential problems of New Zealand as a welfare state includes mention of difficulties which would probably accompany a major threat to a basic industry, such as unemployment resulting in shrinking revenue and greatly increased demands on social security.

With the study ending in 1957, only brief mention is made of some problems which faced the new Labour Government, such as the unfavorable overseas balance of payments, and the difficulties of developing secondary industries to realize self-sufficiency. Possibly Professor Condliffe will write again about this phase of the economy, and give us the benefit of his clear insight into his former country's development. In two volumes of this length a thorough investigation of each phase of economic activity throughout New Zealand history can hardly be expected, yet some will be disappointed because of the omission of certain details. These studies continue to represent the most basic historical description now existing of the country's political economy.—JOSEPHINE F. MILBURN, *Simmons College*.

Parliamentary Government in France: Revolutionary Origins, 1789–1791. BY R. K. GOOCH. (Ithaca: Cornell University Press. 1960. Pp. 253, $4.75.)

Professor Gooch has explored with thoroughness and perception the evolution of parliamentarism during a highly critical two-year period of French history. Drawing primarily on a minute examination of contemporary accounts of National Assembly debates and memoirs as well as secondary sources, he has constructed formidable support for his thesis that "certain Revolutionary leaders possessed a striking understanding of the essentials of the system which was bein evolved in England, that those essentials were i considerable measure actually put into practice i France during the years, 1789–1791, and tha there developed even this early certain tendencie toward modification which have prevailed to th present time."

The revolutionary deputies were driven fron their ideal of the British model by their phobia o a strong executive, a trait they passed on to thei successors, at least through the Fourth Republic Left unresolved, however, is the paradox that th separation of powers which Mirabeau's contemporaries believed would weaken the executive did in fact, permit a stronger executive in the Unite States than existed under parliamentarism in th Third and Fourth Republics. Elsewhere, (p. 233 the observation is made that in seeking causes o certain constitutional situations, though "forma institutional arrangements . . . ought not to b ignored, a consideration like national character i clearly more fundamental." If this is accepted, i is sufficient to demonstrate that the French in 1789 were as prepared as those of 1848, 1870, 1944, and 1960 to use such tools as could be justified by the legitimate doctrine of the age to neutralize the political executive. The continuity of history and the persistence and prevalence over national will and formal institutions of national character will thus be established. It is the evidence the Gooch study supplies in support of this theme that makes it relevant to contemporary as well as historical France. National character moving relentlessly and largely immutably along a "line of historical continuity" has made the parliamentarism typified by the Third Republic the "traditional form . . . indigenous to France, adapted in spite of everything to French needs and the French temperament," and the Gaullist regime is only "an interlude," an "aberration."—WILLIAM G. ANDREWS, *Dartmouth College*.

Elements of Government. BY THOMAS R. ADAM. (New York: Random House, 1960. Pp. x, 468. $6.75.)

The increasing number of textbooks published in recent years for an introductory course in Political Science suggests a considerable growth in the popularity of such a course. Professor Adam, for some years associated with the introductory course at New York University, offers an interesting addition to the group with his *Elements of Government*. He brings to the task a background of academic degrees from Edinburgh, military experience in the British Army, administrative experience with the Commonwealth of Australia, and teaching experience in this country.

The book is organized into three major units:

1) Forms and Structures of Government, twelve hapters; (2) The Business of Government, four hapters; (3) International Relations, four chapters. Added is a lengthy bibliographical listing of ixteen pages. This apportionment of coverage ndicates that the author's major interest lies in he area of comparative political institutions. Only passing attention is given to the areas of heory or philosophy. Though Adam does agree hat theory is essential preparation to the business of ruling or being ruled, he evidently feels it does not belong in a beginning text. He has no patience with those who regard human values as rrelevant to the study of politics. Four such values have proved themselves over many centuries as valid objectives of political association: social] union, freedom, justice and security.

Throughout his text, Adam takes very positive positions. Though others may not agree with him, they cannot doubt his views. He rejects outright the doctrine of sovereignty, calling it the "mark of an ideological or systematical government, where the aim of cooperative living is subordinated to the master plan of dogmatists." He epeatedly emphasizes the "self-operating character" of a major part of human association; he decries efforts to solve problems of government by forcing them into the frame of "who gets what?" Democracy is not so much a form of government as a method of representing the common will, rather than of expressing the majority opinion. Thus the object of representative institutions is to provide a framework within which the individual may act to express his views on *public* affairs, beyond the sphere of his private nterests. Representatives are to be chosen for character, not policies. "We still choose men, not deas, to govern us." Thus Burke's concept of the representative is fully approved. Functional representation is belittled, compulsory voting is praised. Single-member districts are far from perfect, since they tend to "dissolve" natural communities. Second legislative chambers provide a place for those elements not yet "swallowed up" by the trend toward the homogeneity of numbers. Administrative organs tend to treat citizens as "subjects"; so recourse to a legislative representative is a "major privilege" of citizens in free countries. Expansion of merit systems has created a "no-man's land of civil service outside the worlds of both politics and commerce." And ocal merit systems in most major American cities are mere "facades." There is a particularly fine analysis of party systems. Free government is equated with free enterprise. The UN brought nothing new into the field of world order.

The sections on the Business of Government and on International Relations are largely descriptive rather than analytical, indicating again that Adam's major interest is in comparative political institutions. Nevertheless, in all parts of the book, he illuminates his material from a rich background of knowledge and experience, drawing illustrations from many times and many places. His style is clear and forthright; on occasion it is bright and witty. Wherever it is used, it should stimulate student thought and discussion. —PAUL G. STEINBICKER, *St. Louis University.*

The Analysis of Political Systems. BY DOUGLAS V. VERNEY. (Glencoe, Illinois: The Free Press. 1960. Pp. vii, 239. $6.75.)

Invoking the names of Weldon and Duverger, the author hopes to invigorate political theory by presenting an empirical and systematic method of analysis, one in which the recommendations of linguistic empiricism are to be fulfilled through the techniques of analytical institutionalism. Yet those who find that the title of this book invites its comparison with the work of MacIver, Lasswell, and Easton are likely to be somewhat disappointed. The reasons why are methodologically instructive. For Verney's intent is indeed impressive, and this is so even though some of his central diagnostic conclusions are rather conventional.

Verney regards "governmental structure" and "the political process" as contrasting "aspects" of political systems, the analysis of which proceeds by way of their examination and confrontation. Because he works in a historical perspective, he takes "structure" and "process" as contrasting rather than correlative concepts. This perspective accounts also for his interpretation of "the political process" through theories of popular participation, which are said to have appeared mainly after the consolidation of theories of structure in distinctive political systems.

Analysis begins with a nicely articulated and comparative display of the logic of forms of government. Less cogent is the treatment of participation theories, which is carried through in both a historical and a systematic fashion. In the following confrontation of these two "aspects," Verney concludes that there is strong tension between requirements of responsibility and responsiveness. "Efficient" government is more likely, he thinks, with participation that is both periodic and restricted, as in the British image of a parliamentary system, and rather autocratic in the emphasis which it accords to discretion and initiative of concentrated leadership. In view of recent erratic performances of this system, one inevitably wonders whether Verney's prescriptive results are empirically justified or influenced, partially at least, by his conceptual apparatus, especially since this fails to direct his attention steadily to dynamic features of political systems.

It may be that Verney merely takes for granted common appraisals of the British and American systems, but there is some reason to suspect conceptual distortion of his findings. By "empirical" he means primarily historical, and his basic "categories" of analysis are historically oriented. Hence he defines "process" not as the correlate of "structure" according to an organic analogy, but rather essentially by reference to historic versions of democratic theory. In consequence his conceptual commitments, even as they reveal vividly the political impact and fate of democratic ideas, tend to divert attention from the ways in which governmental structures shape political processes.

Verney does not entirely disregard the organic conception of process. He does introduce it, not for the purpose of political analysis, however, but rather to reconcile inherited individualist democratic presuppositions with group realities. This seems a move more consistent with British experience and expectations than dictated by analytical requirements.

There is much more to be learned from Verney's fascinating effort than this brief exploration may suggest. For he uses his techniques deliberately, exploits his approach with tenacity, and is surely right that historical considerations are relevant to political analysis. But it would seem inappropriate to build these considerations into your conceptual meanings and framework. For its genetic derivation does not appear to advance the purposes of systematic analysis. British empiricism, French institutionalism, and American behaviorism are beginning to converge in ways clarifying for explanatory political theory, but a refractionless synthesis has yet to be produced.—J. W. Chapman, *University of Pittsburgh.*

Herbert Hoover and Germany. By Louis P. Lochner. (New York: The Macmillan Company, 1960. Pp. vii, 244. $5.00.)

Probably no living American has been so long and favorably known to Germans as Herbert Hoover. This is primarily because of his great relief work in that country after both World Wars, endeavors which are described in his *Memoirs* published in 1951 and 1952 and translated into German in 1954.

The book here reviewed is a thorough epitome of that record with respect to Germany, done by the Associated Press correspondent for many years in Berlin. Mr. Lochner, a keen commentator and writer on the German scene, was also in 1947 a member of the Hoover Mission to Germany and Austria.

Lochner begins with "the book that made Agricola famous"—the English translation by Mr. and Mrs. Hoover of the *De Re Metallica*, written by a German in the sixteenth century. Then follows an account of Hoover's career from the Commission for Relief in Belgium in 1914 to Hoover's triumphal visit to West Germany i 1954. The portrait is sympathetically drawn without, however, omitting controversial matters For example, Hoover was consistently of th opinion (p. 60) that there was "no connection' between inter-allied debts and German reparations; "it was morally wrong to construct such junctim" (*sic*; this word is also misspelled on p 66). The volume draws upon the documentary materials and includes sections of Hoover's diar notes never before published. There is an adequate index.—Roger H. Wells, *Bryn Maw College.*

Guia de la administración española. By Oficin de Información, Secretaría General Técnica, Presidencia del Gobierno. (Madrid Boletín Oficial del Estado, Sección de Publicaciones, 1960. Pp. 409. Pts 75.)

Scarcely three years after the establishment an organization of the General Administrative Department of the Spanish Government under th name Secretaría General Técnica de la Presidenci del Gobierno has appeared the first governmen organization manual of the Spanish Government It opens with the Prime Minister's Office (Presidencia del Gobierno), there being no prefator note, and then come the Ministries in their officia order, not alphabetically. Under each of thes main divisions are grouped the subordinate an attached agencies with a statement of their functions, and the addresses. It does not include th Cortes and other agencies in connection with th Jefatura del Gobierno, nor the the Tribunal Supremo, nor further the Consejo Superior de Investigaciones, Cientifficas, with its *patronatos* an *institutos*, nor still further the Secretaría de Movimiento. There is no index to the individua agencies.

It may be remembered that a directory o cards of the Spanish government giving both th administrative organization and the principa officials, with monthly supplements, is published privately in Madrid under the title *Fichero d altos cargos* (F A C). The *Guia oficial* ceased publication about thirty years ago.—James B. Childs.

Les institutions politiques du Congo indépendant au 30 juin 1960. By François Perin (Léopoldville, Institut Politique Congolais, 1960. Pp. 151.)

Account is taken of the rapidly developing situation in the movement towards the independence of Congo on June 30, 1960. In the appendix are included the text of resolutions adopted by the Round Table on February 19, 1960, the Electoral Law of March 23, 1960, the proposed law relating to government structure, and the law of March 8, 1960, relating to permanent executive "colleges" in the Congo. This needs to be compared with the result after June 30, 1960.

The results of the elections in Congo, province by province, the lists of the senators, etc., were issued in mimeographed form by the Commissariat-Général à l'Information of the former Gouvernement Général at Leopoldville, and reproduced similarly at Brussels by the INFORCONGO.—James B. Childs.

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INTERNATIONAL POLITICS, LAW, AND ORGANIZATION

International Politics in the Atomic Age. By John H. Herz. (New York: Columbia University Press. 1959. Pp. vi, 360. $6.00.)

This is a book to cheer all those who prefer, nstead of the fashionable apparatus and collective display of the social sciences, what Professor Herz calls "simply the product of the application of whatever intelligence was available." Readers of *Political Realism and Political Idealism* know that the intelligence is of a rare, sensitive and comprehensive order; and its present product is one of the two or three most distinguished books on international politics since 1945.

Herz has an admirable sketch of the classical state-system, built (like the classical system in physics) out of territorially impermeable state-atoms. This territoriality is the basis of international law, and the presupposition of the Clausewitzian doctrine of war. With deep historical insight, he sees the collective security system of the League of Nations as the culmination of the traditional system of the balance of power, and argues that the League's action against Italy in 1935–6, so far from being doomed to inevitable failure, is remarkable for having nearly succeeded. The picture can of course be focussed differently. The attributes of sovereignty first defined by Leibniz (it is one of Herz's best touches to direct attention to the *Entretiens de Philarète et d'Eugène sur le Droit d'Ambassade*) had all existed for 150 years at least before the Peace of Westphalia. And if the state-system is recognisable from the time of Machiavelli or earlier, then two features which are abnormal in Herz's classical system become normal. One is bipolarity. The predominance of America and Russia since 1945 repeats the predominance of the Hapsburgs and France in the sixteenth and seventeenth centuries, of France and Britain in the eighteenth; only between 1815 and 1939 is the international diarchy put partially into commission. The other is doctrinal strife. Only in the decades before 1517 and in the period from 1648 to 1789 (some would date it rather from 1713) is duty to the state not seriously complicated by international religious or ideological loyalties.

Herz's estimate of the contemporary strategic revolution follows from his picture of the classical state-system. Ideological conflict and nuclear weapons have, in principle, replaced territorial impermeability by mutual pervasion, "so that the power of everyone is present everywhere simultaneously," and in the two Great Powers the extreme of military strength coincides with the extreme of vulnerability. But here, once again, it might be permissible to reduce the emphasis on discontinuity with the past. In every age the majority of Powers have been Small Powers, and for them territorial impermeability, like legal sovereignty, has been largely a fiction. Effective impermeability has been a mark of Great Power status (witness Soviet anger over the U2). Similarly, the Clausewitzian doctrine of war as imposing your will on the enemy may need reformulation. It might be truer if transposed into the negative, saying that most Powers in most ages have seen war as the means to prevent the enemy (usually a neighbouring Great Power) from imposing his will on them, by maintaining forces to discourage any but the most determined attack. This is what we now call deterrence. On such a view, the chief political consequence of the strategic revolution has been to reduce the Great Powers to the Small Powers' condition of permeability, and to adopting a deterrent instead of an acquisitive conception of war. Which is very different from the abandonment of war as an instrument of rational policy.

The book inspires such reflections, and provides many of the counter-arguments. Its last third explores the means of survival, a "holding operation," along the lines of piecemeal solution of concrete issues, an abatement of ideological zeal, and restricted territorial disengagement. Herz combines a recognition of the limits of the politically possible with a profound moral concern. He still calls his position "Realist liberalism," but confesses that the nuclear danger has made him more sympathetic to "utopian idealism" than he was in his former book. It might be argued that the universalism he now persuasively urges can be illustrated only from the Western side of the line, not the Russian and Chinese. It might also be argued that it is better that the West should be capable of Herz's balance, moderation and noble solicitude for the future of mankind, and lose the Cold War, than that it should win the Cold War with a more Machiavellian philosophy. On a more prosaic level, let it be said that Herz has so much sensible and illuminating to say about the whole field of international politics, from amity lines to the definition of aggression, and from NATO to the principle of non-recognition, that it is a great pity he has not provided an index of more than names. Despite this lack, it is a book that ought to appear at once in paperback, so that students of international politics can be made to possess and study it alongside their text.—Martin Wight, L.S.E.

The Stages of Economic Growth. By W. W. Rostow. (New York: Cambridge University Press. 1960. Pp. xi, 179. Cloth Edition—$3.75, Paper Edition—$1.45.)

Soviet Economic Power. Robert W. Campbell. (New York: Houghton Mifflin Company. 1960. Pp. vii, 209. $3.50, $1.95.)

Despite the obvious differences in topical concentration and scholarly emphasis, there is a common denominator running through these two volumes. Both have been written by professional economists, both display a fine affinity for historic perspectives and horizons and both of them are aimed at a non-specialized mass audience. Teachers and students alike must be indebted to Professors Rostow and Campbell for effectively portraying the innumerable and highly sensitive interrelationships between modern economic development, both of a free-world capitalist and an Iron Curtain totalitarian variety, and the power realities of world politics in the twentieth century.

W. W. Rostow's five-stage economic growth thesis attempts to "constitute an alternative to Karl Marx's theory of modern history" by offering a dynamic non-Communist view of economic production and political progress. Although abounding in brilliant insights and exceptionally clever asides, Professor Rostow—at least in this reviewer's opinion—has failed in his ambitious undertaking even while producing a challenging and significant work. For one thing, the political scientist must regret that each of the five stages is so broadly and, from a semantic point of view, so uncertainly defined. Such terms as "the traditional society," the "take-off", the "drive to maturity" and "the age of high mass-consumption" obviously have widely differing meanings for economists, historians, sociologists or students of politics. The author is himself aware of this limitation and frequently appears to be on the defensive. "The case (of a technological definition of maturity) can, of course, be argued either way," he observes (p. 67). "The . . . definition of maturity must, then, be an approximation, when applied to a whole national society." (*Ibid.*)

After a shaky start Rostow has some interesting observations on the fifth and last of his stages of economic growth, namely the age of high mass-consumption. Within the context of this generally felicitous phrase, he succeeds in painting an incisive picture of the "American case," analyzing step-by-step the process by which the United States went on "to round out the durable consumers' goods revolution in a decade of chronic full employment between 1946 and 1956."

A reviewer's principal critical comment must be directed against the essential narrowness of the Rostow concept. Indeed, it is not a theory but a series of cleverly connected observations on certain economic phases in the 19th and 20th century growth of selected nations. It does not explain or interpret the climactic events of the last ten years of the Chinese revolution nor does it aid in clarifying the economic-political upheavals of a France-in-transition from a tottering Fourth Republic to a rejuvenated Gaullist Fifth Republic. If the term "ideology" appears at all in Rostow's pamphlet, it obviously is not given due emphasis vis-à-vis the welter of technologically oriented and overly production-conscious forces brought into play and analyzed here. This book is not so much "A Non-Communist Manifesto" as an "Affluent Society Manifesto" viewed from a distinctly Western-American perspective.

Professor Campbell's excellent study intends to provide a realistic picture of the Soviet economic system as a base for our understanding. The author has eminently succeeded in presenting a well organized, lucid and often appropriately simplified image of a gigantic totalitarian system "harnessed to the task of rapid economic growth." (p. 187) The narrative systematically covers the vast panorama stretching from the initial NEP period (1921) to the superambitious goals of the current Seven-Year Plan projected forward to the target year of 1965. In lucid, non-technical language the author convincingly reaches his main conclusion that while on the one hand the Soviet economic system out-performs ours significantly in terms of growth, its record of performance has been achieved "by the employment of methods and institutions repugnant to us" (p. 188). Russian planners, he correctly observes, have failed to grasp the notion that economic power is only a means to an end, and have subjected the dictates and needs of their economic system to the overwhelming requirements of politics and ideology.

In addition to other outstanding attributes of this book, Professor Campbell's continuous awareness of the underlying forces of history and ideology as well as the broadness of his non-technical type of coverage have most favorably impressed this reviewer.—Andrew Gyorgy, *Boston University.*

The Commonwealth and Regional Defence. By W. C. B. Tunstall. (New York: Oxford University Press. 1959. Pp. 68. $1.00.)

Defense. By Air Vice-Marshal E. J. Kingston-McCloughry. (New York: Frederick A. Praeger. 1960. Pp. xvi, 272. $6.00.)

The Political Quarterly, Volume 31, No. 1 (January–March 1960). Special Number on British Defence Policy. (London: Stevens and Son. 1960. 8s. 6d.)

The defense of the West is being conducted by a group of powers disparate in strength, united in their main objective, but separated by the responsibility which the government of each sovereign state has for upholding the specific interests of that state. It is well for students of bipolar world politics to be reminded that American and Western policy are not the same thing. Britain s the strongest of the United States' NATO allies; and the elements of independence in her defense policy may therefore be wider and more important. All three items here reviewed deal with British defense policy against a background whose prominent features are reliance on American power and recognition of the relative decline of British power.

Five of the seven articles in the symposium number of *The Political Quarterly* deal with defense policy in a way that reflects the ferment of dissatisfaction with official policy as it had evolved during Duncan Sandys' three years as Minister of Defence. In the light of the British decision to abandon development of its *Blue Streak* missile and the appointment of Harold Watkinson to succeed Sandys, these essays take on added interest. They are united in recognizing that Britain must accommodate herself to her medium-power, rather than great-power, status in terms of financial outlay for defense. Britain's need for and possibility of attaining an effective independent nuclear deterrent is critically examined, especially if the minimum need for non-nuclear power is met. On the other hand, while the value of the American commitment to use the SAC force to retaliate against an attack on Britain on the European continent is recognized, sole reliance on this is questioned. The common element in the essays is the effort to discover what increment to the protection of British interests can be the result of British efforts, given the American defense effort. Thus, a first essay by T. E. M. McKitterick seeks to define these interests; another by Hugh Thomas deals with disarmament; a third by Richard Goold-Adams with the need for conventional forces; a fourth by Alastair Buchan with the need for a NATO nuclear deterrent; and a fifth by Denis Healey with the need for a more truly interdependent NATO military effort. Two essays by A. C. L. Day on the economics of defense and Michael Howard on the central defense organization are not essays on policy but are more descriptive and analytical.

The Commonwealth and Regional Defence by W. C. B. Tunstall is a careful description and judicious appraisal of the evolution of Commonwealth defense arrangements in the last half-century, and their post-World War II transformation as a result of the development of a series of regional defense pacts and, more important, regional military planning organizations whose common element is reliance on American strength and American commitment. This comprehensive, though compact, survey of the special defense requirements of each of the various members of the Commonwealth and the consequent pattern of regional agreements demonstrates how illusory were the hopes of men like Lord Halifax that in the world after World War II the Commonwealth would so draw together that it could command acceptance as a power comparable in resources and military power to the United States and the Soviet Union.

Air Vice-Marshal Kingston-McCloughry's *Defense* is a check-list with incidental comment and occasional judgments of the factors that have to be considered in making defense policy. It is at most points abstract, and there is only a cursory explanation of such concrete material as is included. It has, however, the merit of stressing the need of preparing for all kinds of wars—total war, limited war, local war, cold war—by co-ordinated means—inter-service, inter-departmental and inter-ally.—WILLIAM T. R. FOX, *Columbia University.*

The New Statecraft. BY GEORGE LISKA. (Chicago: University of Chicago Press. 1960. Pp. xv, 247. $5.00.)

Much has been written about foreign aid, but rarely is it treated as an instrument of foreign policy. This book does so in a seminal and systematic way. The author views foreign aid as an instrument of statecraft and counsels its use so that it will insure "optimum control by the aid-giving country." This approach places Mr. Liska in conflict with much of the currently fashionable writing on foreign aid represented for instance by W. W. Rostow and Max F. Millikan of MIT. Rostow holds that aid should be given solely for purposes of economic development and decries its use to seek United States political advantage. He seems to believe that economic development will almost automatically produce democratic societies and peaceful foreign policies though the causal connections between these steps are not clarified.

Mr. Liska's position seems more convincing despite the fact that it is written in a confusing style that sometimes seems to defy the reader to follow the line of thought. Liska notes that governments now use economic activities as a substitute for war in gaining control over other nations. Thus he holds it is necessary to develop practical knowledge of the conditions and methods for using foreign aid as a successful instrument of statecraft. His prescriptions are suited to the nature of diplomacy for they are general guidelines—albeit complicated and sometimes pedantic—rather than a set of formulae to be rigidly adhered to in the dynamic circumstances of world politics. These guidelines help the policy maker match types of foreign internal situations and desirable international actions with the appropriate purposes, forms and types of administration of United States foreign aid. Aid policy must be consistent in similar situations and it must cohere with the rest of foreign policy if it is to be most useful as an instrument of international control.

The author has many sharp and convincing criticisms to make of United States aid policy and the way it is frequently administered. Clearly it does not measure up to his standards. He deplores, for instance, the constant tinkering with the minutiae of the recipient's use of aid funds when in fact they have often been provided for quite noneconomic purposes (to secure base rights or stabilize a tottering government, etc.). Likewise he comes down hard on the United States tendency to become identified with and committed to the recipient government when this can sometimes be avoided. Our failure to make aid and the other instruments of policy buttress each other is pointed out, as is our failure to differentiate between neutralist governments regardless of the reasons for their neutrality. Mr. Liska does not elaborate a full theory of foreign aid but in his analysis and policy suggestions he raises many of the issues that must be considered in evaluating United States foreign aid policy.—ARTHUR H. DARKEN, *Library of Congress.*

The United States in the World Arena: an Essay in Recent History. BY W. W. ROSTOW. (New York: Harper & Brothers. 1960. Pp. xxii, 568. $8.75.)

This large tome, which gravely stretches the definition of "essay," emerged from the American Project of MIT's Center of International Studies. Its author will be remembered for *A Proposal: Key to an Effective Foreign Policy*, written with Professor Max Millikan of the same institution, and the recent *Stages of Economic Growth: a Non-Communist Manifesto*, both designed to influence—one hopes successfully—patterns, quantities, and duration of American foreign economic assistance.

But while *The United States in the World Arena* owes something to the conception of stages of economic growth, two other ideas are specifically listed as organizing foci: "national style" and "national interest." Both style and interest elude precise, operational definition in this book. Nonetheless, one can envisage more or less rigorous use of all three for the selection and ordering of data for purposes, respectively, of an economic, cultural and intellectual, and diplomatic exegesis on factors underlying American foreign policy and on methods by which their influences may be discerned. The reader will recurrently come across oases of such analysis. Professor Rostow's real purpose, however, is not perception; rather, says
the author in a portion of the introductory par
graph on the national interest, " . . . the ques
tions posed in this study required that in the en
I face the task of prescription. I was thus con
fronted with the problem of passing judgment o
the wisdom and efficacy of various courses c
action—past, present, and future." One need onl
add that it is the passing administration whic
most interests the writer. To be sure, there is
"Prologue" of some 35 pages, which refers t
developments of the eighteenth and nineteent
centuries, while concentrating on the years of th
twentieth preceding the Second World War. Her
the three organizing ideas are utilized mos
transparently. Books Two and Three, sprea
across 238 pages, are devoted to the ensuing doze
years, but these are essentially another prologu
to the heart of the matter: assessment of Eisen
hower's two terms in Books Four, Five, and Si
which together run to 262 pages.

Here, then, for all its length and presume
scope, is a "policy" treatise. It should be rea
as such—in reverse order of presentation. Begin
ning with Book Six, "The American Agenda," th
hardy venturer may push back to "Prospects an
Problems." His interest whetted (perhaps hi
choler aroused), he may wish to sample "Th
Eisenhower Administration and its Crisis." Fro
that point he is on his own. For what purpose i
he now reading: for capsule summaries of events
for hints of causative elements, for judgments
The answer would seem to depend on whethe
the reader is student, scholar, or browser. It i
the last sections that command the most respect
ful attention. Therein a distinguished professiona
economist and government advisor seeks to es
tablish some of the broad requirements for
foreign policy which will cope successfully wit
the international environment, while preservin
some semblances of an open society and of a demo
cratic process. The author now shakes off his self
imposed task of sweeping judgment and uncom
promising conclusion, preoccupations which i
earlier chapters have frequently produced start
ling statements about men and events. (It is o
balance probably more false than true to sa
"what is certain is the official view that th
United Nations would be a substitute for powe
politics." [p. 126]; at least one would have t
manipulate the word "official" to wriggle clear
It will come as news to many perusers of the press to learn that "a few [states] like Mexico, Brazil Argentina, and Turkey are in the process of self-sustained growth." [p. 413]) Highly complex, literally vital problems connected with the spread of nuclear military technology are dealt with in surprisingly cavalier fashion. And political scientists will be comforted to know that "contrary to a widely held view, the intellectual continued to

cupy an elevated public role in American life the postwar years"; they will be comforted, at is, until they find that the example cited is e employment by industry of economists, psy-ologists as personnel experts, and sociologists d social psychologists in market research and bor relations.

There is certainly a continuing need for general well as specific studies of the inter-action of ternal and internal circumstances on American reign policy. For this task more refined tech-ques of analysis than "national" "style" and nterest" would seem to be required. Also—on a lated but separate level—social scientists, the viewer would argue, should not shirk the job of plying their training to policy prescription. ere Professor Rostow and his associates have ade worthwhile contributions.—EDGAR S. FUR-SS, JR., *Princeton University.*

ommunist China and Asia. BY A. DOAK BARNETT (New York: Harper & Brothers. 1960. Pp. xi, 575. $6.95.)

This volume provides an interesting study in oup activities in research and publication. Its thor is a staff member of the Ford Foundation, osen by the Council on Foreign Relations to rite this book. To help him, the Council set up Study Group representing several different ades of opinion on his subject. Since the author kes entire responsibility for his book, and the inions of the Study Group members are not dicated therein, the task of attribution is hard. addition, the final manuscript was read by a umber of high officers of the Council itself. That was approved for publication by the Council ould seem to indicate that the volume at least id not meet with any overwhelming objections om them. But the basic choice had already been ade when the author was chosen to do this book.

His general point of view emerges most clearly his advocacy of the so-called "two Chinas" olicy. This could not well have been the view-oint of the author some ten years or more ago. t that time he had recently left China, where he ad witnessed the Communist takeover, and he as preparing to write a book on the China prob-m. The "two Chinas" idea had not yet been orn, for the fall of Taiwan to the Chinese Com-unists was expected imminently by most of ose "in the know," including our own State epartment. In the summer of 1950 the Korean ar intervened, and the Chinese Communist in-asion of Korea made it impossible to advocate ny accommodation with their regime, while at the me time President Truman set up protective arriers against their takeover of Taiwan. Since hen, our simultaneous policies of non-recogni-ion and non-intercourse with Communist China, and of protection and development of Taiwan have won general public acceptance. It would be a politically foolhardy person today who would openly advocate the takeover of Taiwan by the Chinese Communists. Thus the movement toward accommodation with Communist China now takes the form of the "two Chinas" proposal, under which we are urged toward full relationships with Communist China, while retaining Taiwan under our protective wing.

That this policy has no possible chance of success does not seem to influence its advocates. It is as certain as anything can be that Communist China will never enter into relations with us unless we are willing to conspire to surrender Taiwan to communism. It is equally certain that the Republic of China on Taiwan would break with us if we were to enter into relations with Communist China. Here we can have it one way or the other way, but not both ways at once.

But is it really as simple as all this? It seems more likely that the "two Chinas" policy is in reality aimed against the Republic of China on Taiwan. This is because that government is considered to be under our power. Thus it seems that we could perhaps force its acceptance of the "two Chinas" policy against its will, under threat of abandonment by us. But in fact to impose this policy on it is a contradiction in terms, for this would destroy that government and leave Taiwan open thereafter to the usual processes of Communist "liberation." Thus the "two Chinas" policy would help reduce it down to one China only, and the pressure for full U. S. relations with Communist China, including "trade" (*i.e.*, full U. S. support for the economic-military development of Communist China) would become almost irresistible.

If this is so, why the violent protests against the "two Chinas" policy by the Chinese Communists? Probably because they would rather have us surrender on the Taiwan issue, under the blackmail of an atomic war threat, rather than to make any kind of bargain with us. The open defeat of the U. S. in the current struggle, on any important and easily comprehended issue, is far more important to them than almost any matter of substance, including Taiwan. It is because many of our policy advocates do not recognize this that they constantly urge what to them are perfectly logical lines of bi-lateral bargaining in dealing with Communists. What they need to learn is what the Communists are constantly telling us in unmistakable terms, namely that they are out for our blood, and that nothing less than the total destruction of the opposition (ourselves) will do. Any such accommodation with the Chinese Communists as is proposed in this book is impossible for the responsible policy-making future. Those who now or may in the future control our foreign policy would do well to bear this in mind.—David Nelson Rowe, *Yale University.*

The United States in World Affairs, 1959. By Richard P. Stebbins. (New York: Harper and Brothers. 1960. Pp. xiii, 464. $6.00.)
Can We End The Cold War? By Leo Perla. (New York: The Macmillan Company. 1960. Pp. xii, 251. $4.50.)

The only reason for including these two books in a joint review is the fact that they are both concerned with American foreign policy. As in previous volumes, *The United States in World Affairs 1959* is a comprehensive and dispassionate account of the international activities of the United States for a single year; in this instance, 1959. As expected, the volume carefully maintains the scholarly standards that distinguish publications of the Council on Foreign Relations. As a reference book its value might be enhanced somewhat by a more liberal use of maps for those geographical areas to which our attention is increasingly drawn, and which to an unprecedented degree are impinging upon the national interests of this country. Conversely, the occasional inclusion of cartoons, even by Herblock, add little to the usefulness of the volume. However, these picayunish criticisms detract little from the inherent value of this series as a ready reference on American foreign policy. Those familiar with the series know what to expect and will not be disappointed; those who are not familiar with it should make its acquaintance. It might be noted that future volumes of the series, beginning with this volume, will be available in paperback editions.

Mr. Perla's book, *Can We End the Cold War?*, on the other hand, is anything but dispassionate; it is a persuasive polemic for higher moral standards in American foreign policy. This book, emphasizing as it does the need for a moral imperative, is one of an increasing number appearing as greater disillusionment arises with (1) the type of world we live in—that is, a world in which the national interest is not measured against the Christian ethic, and (2) the gradual erosion of our power and leadership in that world. Whereas *The United States and World Affairs* is a volume of fact, Perla's book is largely one of opinion; and very decided opinion it is, too. Unfortunately, his opinions are sometimes based on assumptions that are open to challenge, *i.e.*, that a nuclear war between the United States and the Soviet Union will wipe out civilization.

It is Mr. Perla's main contention that the United States can effectively reverse the arms race, ease Soviet-American tensions, and ultimately prevent a catastrophic nuclear conflict only through an acceptance of greater morality in our foreign policy. He is primarily concerned w unilateral American rejection of three types double standards now practiced which, if c tinued, will sooner or later lead to the use of nuclear weapons that we and the Soviets are committed to in the name of national securi These are: (1) there is one morality for individ conduct but another for the conduct of our nati in its foreign relations; (2) what is right for United States is often wrong for our adversari and (3) we embrace one set of morals for what profess and another for what we do. These cr cisms have been voiced by others, but seld with such Christian fervor and conviction. also directs his pen to a critical reappraisal of validity and possible consequences of seve concepts believed basic to our present position world affairs, *i.e.*, "peace with justice" and "pc tion of strength."

Mr. Perla is convincing that acceptance o greater degree of morality (wisely he believes much morality might be suicide) in our forei policy might enhance our attempts to alter lo range Soviet plans for the non-communist wor Obviously, our global posture needs orthope attention; however, whether Mr. Perla's is t best treatment is less obvious.—Clifford Ketzel, *University of Kansas.*

Bloc Politics in the United Nations. By Thom Hovet, Jr., (Cambridge: Harvard Universi Press, 1960. Pp. xx, 197. $6.50.)

This monograph is the outgrowth of a pa prepared for the United Nations Project Massachusetts Institute of Technology. It cludes a 68-page Appendix of charts which forth the voting behavior in the General Assem of eight organized caucusing groups. The stu also presents less extensive data for eight ad tional non-caucusing "regional groups" and th "common interest groups."

The methodology employed in this work w developed with extreme care. The result is admirably systematic compilation of invalua source material on group politics in the Gene Assembly.

Each group's voting behavior is analyzed terms of "cohesion." Initial insight into cohesi is provided by compiling (in percentage form) t amount of *identical, solidarity* (some membe abstaining), and *divided* voting registered by ea group during each Assembly session. Cohesion further analyzed by indicating the different typ of votes cast by each group in seven broad su ject areas (such as "human rights" and "colle tive measures"). A third dimension of ea group's cohesiveness is supplied by compiling t kinds of votes it has cast on three major categori of Assembly recommendations.

The author also presents detailed analyses of the ent to which the majority in each group votes th the majority of the General Assembly. The ting relationship of each group with the Assem- y majority is further analyzed by reference to e specific subjects and the different kinds of sembly recommendations utilized in the study cohesiveness.

Still another major task undertaken by Mr. ovet is the study of "bloc and group coalitions." s work is then concluded with a prudently utious outline of "some policy implications" for e United States.

The author's statistical compilations provide any valuable insights into the nature of group litics in the General Assembly. Among the use- l findings of fact, for example, are data show- g that a majority of the Western "Big Three" te against the Assembly majority as often as majorities of the Moslem and Asian-African oups. The Commonwealth and the Arab groups ve what appears to be an equal record in this spect.

Despite its many virtues, this is a study which ust be used with caution. The author some- mes draws conclusions that may be valid but hich are not provable by resort to his data. We ad, for example, that formation of the ANZUS ouncil in 1951 "seems to have had little effect the voting" of its members in the General ssembly. What the study really shows is that e voting percentages for the group's majority ere virtually the same "before" as "after" the ganization of ANZUS. (See p. 97.) Another ex- mple of the hazards of interpretation is appar- t when the author suggests that the Asian- frican group's very high record of abstention on lf-determination votes may be attributable to ivision within the group. (P. 108.) A more plausi- le explanation, many will insist, is that the bstentions were protests against "watered-down" solutions. Unfortunately, there are no data in he study to resolve such issues.

The most serious limitation of a work of this ind is inherent in the method itself. Qualitative onsiderations relevant to understanding state nd other group behavior are submerged in a sea f quantitative data. What does it really mean o learn that the United States votes "in accord vith the Assembly majority" 75.6 per cent of the ime, while the corresponding figure for the Arab roup is 66.6 per cent? (P. 102.) Such data do ot tell us whether dissent is on routine or on 'blue chip" issues. And what are we to make of he Arabs' 66.6 per cent? Some of this Arab sup- ort for the Assembly majority was given unani- nously, but at other times it was probably egistered when only 51 per cent of the Arab tates were in agreement and when the Arab majority did not include Egypt, the leader of the Arab group. Such questions as these are often vital for understanding political behavior. They recur throughout this study, and they cannot be answered by resort to charts which show merely as percentages the voting behavior of group majorities and minorities on broad classes of issues and recommendtions.

Most of these criticisms are not directed at this particular work. The care with which Mr. Hovet generally executes the task he set for himself deserves high praise. The limitations noted, however, must be constantly borne in mind in order that readers of the monograph avoid unwarranted conclusions.—H. PAUL CASTLEBERRY, *Washington State University.*

European Assemblies. The Experimental Period 1949–1959. BY KENNETH LINDSAY. (New York: Praeger. 1960. Pp. xxi, 267. $7.50.)

In issuing this useful analysis of a decade's experience with the international parliamentary assembly, a novel organ that has emerged in different regional groupings within the Atlantic Community, Praeger adds another to the list of discriminating studies of important international developments that justifies the claim to publish "books that matter."

Readers lacking first-hand or close documentary acquaintance with the seven assemblies (the Consultative Assembly of the Council of Europe; the Common Assembly of the Coal and Steel Community, now converted into the European Parliamentary Assembly serving also the Common Market and EURATOM; the Western European Union Assembly; the Nordic and Benelux Councils and the NATO Parliamentarians' Conference) will probably find most helpful the comparative analysis of organization, procedure and relations with national executives and parliaments. This survey has benefitted from criticism of experienced assembly members who participated in the Hague Conference on European Assemblies initiated by the author, a former British Minister who earlier published a study of the Consultative Assembly.

More knowledgeable readers may expect to find considerable new data in the background papers prepared for the conference by different authors, some of whom have likewise had experience with the European organizations. One series examines methods of selection and operation in the international assemblies and respective national parliaments of eight national delegations. Here the papers concerning the United Kingdom and West Germany make substantial contributions. Another series studies three types of assemblies. Many will find particularly valuable the paper on the Common Assembly, highlighted by careful analysis of the formation and significance of political groups which not only have done much to internationalize procedure in this and other assemblies but may also be the forerunners of European political parties. Other readers will welcome as heretofore less readily available the material contained in the accounts of the Nordic and Benelux Councils.

Direct impetus for the Hague Conference came from factors long appreciated by parliamentarians and students of international organization. These include the proliferation of assemblies, overlapping functions, the burden placed by increasing activity on members who simultaneously carry national parliamentary responsibilities and, in the case of certain assemblies, mounting frustration when able reports and arduously achieved recommendations meet with ministerial opposition or apathy.

Rationalizing existing institutions is not the answer, however, as this report wisely emphasizes in perceiving that the difficulties are inherent in the present phase of the effort to unite free Europe and to institutionalize international consideration of common problems in the wider Atlantic area. So long as European-Atlantic states hold various conceptions of matters suitable for collective consideration, numerous regional organizations and consequently numerous assemblies may be expected to continue. Similarly, as parliamentarians see national parliamentary decision-making lessened in importance with respect to significant economic, military and political questions by the scope and nature of international commitments, these officials may be expected to desire to participate more effectively with reference to the undertaking and implementation of these commitments than by the traditional devices of approving or rejecting treaties and appropriating funds. The opening address to the conference by J. W. Beyen, Netherlands Ambassador to France, is outstanding in its assessment of the political realities which lie at the heart of the situation currently faced by the parliamentary assemblies.

Grappling with these difficult and complex political realities is what is required of leaders in the European-Atlantic world. This is what the Hague Conference failed to do. Recommendations put forth are consequently unimaginative. Many have been proposed before, for example, those designed to improve assembly relations with ministers. This is more than a matter of procedural reform. It requires facing the question: Why are the assemblies so frequently ahead of national governments in perceiving problems and in recommending proposals?

Two positions, however, derive particular interest from developments since publication of the book. One is the rejection of direct popular el tion of assembly members, subsequently endors in May by members of the European Parl mentary Assembly through adoption of a conve tion now before governments. Mr. Lindsay argu that popular elections would destroy ties wi national parliaments. In the present political co text the point is valid. This position overlool however, the contribution such an electoral pro ess may make to the accelerated evolution existing European institutions into more cohesi arrangements by popular education concerni the inadequacy of the national state to satis certain needs. Another proposal Mr. Lindsay pu forth appears on the way to implementation. I urges utilization of the Council of Europe f convening meetings outside its proceedings which non-member states would be invited. Th report recommending conversion of O.E.E.C. in the Organization for Economic Cooperation an Development, presented to twenty Europea Atlantic states in April, proposes no offici assembly for the new organization but sugges that the Council of Europe organize annual mee ings of parliamentarians from all O.E.C.D. state —RUTH C. LAWSON, *Mount Holyoke College.*

United States Commercial Treaties and Interna tional Law. By ROBERT R. WILSON. (Ne Orleans: Hauser Press. 1960. Pp. xv, 38 $6.50.)

It is no exaggeration to say that the bilater general commercial treaty is the foundation c orderly international commercial relations. Th commercial treaty, fostering amicable relation between states by enabling their national whether individuals or business enterprises, t engage in mutually beneficial trade, investment travel, and cultural activity, is not lightly entere into by states, for it involves a long-term commitment to the subordination of national inter ests for the sake of international trading advan tages. The importance of such treaties in inter national commercial relations makes welcome Pro fessor Wilson's scholarly study of United State practice.

The book deals with "establishment" provision in American commercial treaties, those pro visions which constitute the basic rights of th alien entering the territory of the other party t the treaty. In successive chapters the author ex amines the bases for admission of the treaty alie into the country, the right of the alien to work the protection of his property and investments the extent to which he may engage in the exploita tion of the other state's natural resources, hi susceptibility to tax discrimination, the alien's assurance of access to judicial remedies, his right religious freedom, and his liability to military vice. A separate chapter by Dr. Herman alker, Jr., of the United States Foreign Service, als with the status and rights of companies in e same context. The usefulness of the book is hanced by the inclusion of the text of the 1954 eaty of Friendship, Commerce and Navigation th the Federal Republic of Germany which is e prototype of contemporary American com-ercial treaties as well as a list of the bilateral mmercial treaties to which the United States s been party since 1778.

The study is concerned not only with the anal-is of the various types of establishment pro-sions in terms of changing commercial prac-es as well as the impact on them of federal and ate legislation and judicial interpretation, but so with the larger matter of the implication of ese bilateral commercial treaties for public ternational law. Observing that "it is . . . a nse of the reality and the influence of interna-nal law that appears—the influence of a body rules that have become universally applicable, sufficiently so for a court to apply them in the ld of state rights and duties—that the treaty cord seems to support," (p. 321) the author ows that the frame of reference of these treaties the international law standard. In instances in ich this standard is not clear, where it is in ocess of formulation, as in the protection of man rights, or where it is in conflict with tional policy objectives, as in the expropriation alien property without compensation, these eaties have the function of provisionally for-ulating the international law standard. Even ocedural international law receives a modest contribution from sixteen of the seventeen commercial treaties which have been concluded by the United States since 1945, in that they make no reference to the peremptory domestic jurisdiction reservation in their compromissory clauses.

Professor Wilson's work is an authoritative contribution to the literature on treaty law and a valuable guide both to the draftsman of commercial treaties and the practitioner in the field of international law.—Alona E. Evans, *Wellesley College.*

Politics Among Nations. The Struggle for Power and Peace. By Hans J. Morgenthau. Third Edition (New York: Alfred A. Knopf, 1960). Pp. 630.

Upon learning that this text has gone into its third edition one might hastily conclude that, having gained such wide acceptance, the book is now non-controversial. One notes, however, that the third edition's Preface is quite different from the "Preface to the Third Edition" which accompanied the book's pre-publication announcement. In that draft Professor Morgenthau aimed a scathing rebuttal at the unnamed author of a 1959 article on theory in international politics. That rebuttal is not, however, included in the Preface which now comes bound with the book. The new edition is a completely reset, revised, and better appearing book, though the superior organization and internally consistent thinking remain largely unchanged. While most of the new lines have been added to give greater immediacy to a book constantly in demand, there are important changes in the treatment of alliances, disarmament, and the United Nations.

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INTERNATIONAL LAW AND RELATIONS

William H. Roberts
Catholic University of America

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NEWS AND NOTES

NOMINATIONS

The Association's Committee on Nominations invites all members to propose candidates for the elective offices of the Association, to wit: President-Elect, three Vice-Presidents, Secretary, Treasurer, and eight members for two-year terms on the Council. Suggestions and supporting statements may be sent to any member of the Committee: Hugh L. Elsbree, Library of Congress, chairman; Ethan P. Allen, University of Kansas; Dayton D. McKean, University of Colorado; William W. Marvel, Carnegie Corporation; J. Roland Pennock, Swarthmore; Lucian W. Pye, Massachusetts Institute of Technology. The sooner suggestions are received the better; to be considered at all they must arrive by March 15, 1961.

PROFESSIONAL CONFERENCES

Fifty-Sixth Annual Meeting of the American Political Science Association: Minutes of the Council Meeting

The Council of the American Political Science ssociation met at 9:30 A.M., September 7, 960, in the Empire Suite of the Statler-Hilton Iotel in New York City with President Carl wisher presiding. The following thirty-seven nembers of the Council, nominees for election in 960, and former presidents of the Association vere present: William Anderson, Edward Burns, rancis Coker, Lawrence Durisch, Merle Fainsod, Villiam O. Farber, David Fellman, John Gaus, harles Gilbert, Maure Goldschmidt, Charles . Hyneman, Pendleton Herring, Ivan Hinderker, John T. Holden, Paul Jacobsen, Gladys ammerer, Evron M. Kirkpatrick, Max M. ampelman, Harvey C. Mansfield, Alpheus T. Iason, Arthur Naftalin, John A. Perkins, Elmer lischke, James K. Pollock, C. Herman Pritchett, mmette S. Redford, Allan Richards, John P. oche, Victoria Schuck, George W. Spicer, Paul teinbicker, Carl B. Swisher, Kenneth Thompson, wight Waldo, John D. Williams, Rene William-on, Quincy Wright.

Carl Swisher, President; Harvey Mansfield, ditor of the REVIEW; Evron M. Kirkpatrick, xecutive Director; Herman Pritchett, Program hairman; and Max M. Kampelman, Treasurer, resented summaries of their activities for the ast year. Written copies of the reports of the anaging Editor, the Executive Director and the Treasurer were made available to the council members.

The Council also received the written reports of the Auditors; of John Masland, chairman of the Nominating Committee; of Earl Latham, APSA representative to the Social Science Research Council for 1959–60; and of Carl J. Friedrich, APSA representative to the American Council of Learned Societies.

The reports of officers and committees led to unanimous approval of the following items:

1. A motion by Harvey Mansfield duly seconded that John D. Lewis be elected to the Editorial Board of the REVIEW (Leo Strauss and Vincent Ostrom are retiring from the Board).

2. A motion by Max M. Kampelman duly seconded that the Council request the Executive Director to express the appreciation of the Association to all the donors of grants and gifts made to the Association during the past year.

3. A motion by Max M. Kampelman duly seconded that the Association change its accounting procedure from an accrual basis to a cash basis for the membership and subscription income, and that this be coupled with the establishment of an operating reserve against obligations for future years. The Executive Director will bring to the next Executive Committee meeting a formula for this operating reserve which will strike a balance between the estimate of prepayments and the annual operating budget.

4. A motion by Max M. Kampelman duly seconded that the proposed budget of $144,831.32 for the fiscal year July 1, 1960 to June 30, 1961 (p. 7 of the Treasurer's Report) be adopted.

5. A motion by Emmette S. Redford that the Council recommend to the Association the adoption of a resolution expressing the warm appreciation of the Association to Max Kampelman for his untiring services to the Association as counsel and Treasurer.

In announcing that the speaker for the general session of the Association on Friday evening September 9th, would be Senator Lyndon B. Johnson, the Democratic vice-presidential nominee, the Chairman of the Program Committee and the Executive Director recounted the extensive, and in the end unsuccessful, negotiations to give the Republicans "equal time"—unsuccessful not for want of effort and good will on both sides.

The Council discussed at length the National Science Foundation's discriminatory practices toward the support of training and research in the social sciences in general and political science in particular. Both the Executive Director and Pendleton Herring, President of the Social Science Research Council, reported that some progress had been made with the NSF in the past year. The Council finally agreed that the Executive Director and Pendleton Herring should jointly present to the appropriate officers in NSF the views of the Council on the legitimacy of our claims for further recognition.

Recommendations from the Executive Committee unanimously adopted were:

1. That the forthcoming *Directory* of the Association be distributed according to the following principles: (a) all members of the Association at the date of publication to receive a free copy; (b) those who become members after publication to pay for copies if they wish to have them; and (c) two schedules of charges for sales to be fixed for (1) members and (2) for non members. The Executive Committee is directed to fix the charges.

2. That Roland Pennock be appointed as a representative of the Association to the Social Science Research Council (succeeding Earl Latham whose second term has now expired).

John Roche raised the question whether the Association should have a committee to explore problems of professional ethics, of the quality of instruction, and of the status of the profession generally. On motion of Quincy Wright duly seconded, the Council unanimously agreed that the President appoint a committee to study the problem of maintaining proper standards of political science teaching in colleges and universities and to report at the next meeting of the Association with such recommendations as it deems appropriate. It was also agreed that all correspondence received by Council members on the subject be referred to this committee.

David Fellman reported on publications by the Service Center for Teachers of History of the American Historical Association (under a Carnegie grant) and proposed that the feasibility of comparable publications in political science be explored by the Association. Such pamphlets, he suggested, might well serve two functions: (1) to keep political scientists in touch with developments in fields other than their own; (2) to improve the teaching of politics in high schools. In the discussion of the proposal, the need to improve the teaching of politics in high schools and the activities of other professional associations (ACLS, NEA, etc.) to raise the standards of secondary teaching were pointed out. On motion of Charles S. Hyneman, duly seconded, the Council recorded its opinion that the problem of high school teaching is of high priority and that the Executive Committee should consider it and make recommendations.

The President adjourned the meeting at 5:00 P.M.

VICTORIA SCHUCK, *Secretary*

Minutes of the Annual Business Meeting

The Annual business meeting of The American Political Science Association was called to order by President Carl Swisher in the Georgian Room of the Statler-Hilton Hotel in New York City at 4:45 P.M. Thursday, September 8, 1960.

The minutes of the Council meeting of September 7 were read by Victoria Schuck, Secretary, and on motion made and seconded from the floor were unanimously approved.

President Swisher summarized his activities during the past year, noting the regional Association meetings and the two regional seminars he had attended. In calling for the reports of officers and committees, he expressed warm appreciation for their generous cooperation.

Printed copies of the program of the meetings and the reports of the Managing Editor of the AMERICAN POLITICAL SCIENCE REVIEW, the chairman of the Program Committee, the Executive Director, and the Treasurer were made available at the meeting (in spite of the delays stemming from the strike of the Pennsylvania Railroad). Each report was presented orally by the respective officer and in turn, on motion made and seconded from the floor, was unanimously approved.

In making his report, the Managing Editor of the REVIEW mentioned the change in format beginning with the issue of last June and called attention to the inclusion, beginning this year, of dissertations prepared in Canadian Universities ı the list printed in the Review. The chairman f the Program Committee stressed the advan- ıges gained by the committee in being able to ıeet twice during the year.

Among the highlights of the Executive Direc- or's report were capsular accounts of his negotia- ions with the National Science Foundation oking toward greater recognition of political cience by the NSF; the congressional fellowship rogram and Asian participation in the program; he public affairs reporting seminars and awards; nd the two regional seminars for political scien- ists held respectively at the University of Wis- onsin in early June and at Rutgers in late Au- ust under a Ford Foundation grant. The Execu- ive Director announced that there would be wo charter flights to Europe for members in he summer of 1961 and that the new group term fe insurance program would become effective Jovember 1, 1960. He indicated that the prepa- ation of the biographical directory of members as well under way according to a timetable hich should see publication in the spring. And e urged members to be prompt in giving notice f changes of address so that the extremely high osts of remailing copies of the Review can be educed.

The Treasurer discussed the assets of the Asso- iation, some increasing costs, the special pro- rams financed out of funds from grants (new rants during the past year totaled $370,930.75), nd the budget of $144,831.32 for the next fiscal ear.

The Secretary offered the resolution of the Council expressing the appreciation of the Asso- iation to the Treasurer for his untiring services o the Association as counsel and Treasurer, and noved its adoption. The resolution was seconded rom the floor and enthusiastically approved.

In the absence of the chairman of the Nom- nating Committee, the Secretary presented the ommittee's report. The following slate of candi- lates was recommended: *President-Elect,* Charles S. Hyneman (University of Indiana); *Vice Presi- lents,* 1960–61: Merle Fainsod (Harvard Uni- ersity), M. L. Goldschmidt (Reed College), and John A. Perkins (University of Delaware); *Secre- ary,* 1960–61: George A. Peek, Jr. (University of Michigan); *Council,* 1960–62: Lawrence Durisch Tennessee Valley Authority), William O. Farber University of South Dakota), Ivan H. Hinder- ker (University of California at Los Angeles), John T. Golden (University of New Hamp- hire), Gladys M. Kammerer (University of Florida), Richard C. Snyder (Northwestern University), Kenneth Thompson (Rockefeller Foundation), nd John E. Williams (University of Utah). The Secretary then moved the approval of the slate, which motion was seconded from the floor and unanimously carried.

The President introduced Charles Hyneman, President-Elect, and invited him to join the officers at the rostrum. The President then read a congratulatory telegram from students at the University of Texas for the new President, Emmette S. Redford, before turning the gavel over to him.

President Redford stated that the next meeting of the Association would be held at the Sheraton Hotel in St. Louis, September 7, 8, 9, 1961. He encouraged members to send along suggestions of topics for panels, research in progress, etc., to the new Program Committee before October 15, if possible.

Charles Ascher suggested extending the annual meeting of the Association by one day, pointing out that the APSA is the only professional society within his knowledge which meets for the short period of two and one-half days. Carl Friedrich joined him, and a show of hands indicated wide-spread support of a proposal that meetings should be scheduled to begin a day earlier in the week.

President Redford adjourned the meeting at 5:47.

Victoria Schuck, *Secretary*

The annual meeting of the Midwest Conference of Political Scientists will be held at the University of Missouri, Columbia, Mo., May 11 to 13, 1961. Phillip Monypenny of the University of Illinois is program chairman.

The International Institute of Differing Civilizations held its 32nd study session in Munich from 19 to 22 September 1960. The subject put up for discussion was "Staff Problems in Tropical and Sub-Tropical Countries."

Discussions were introduced by five general *rapporteurs* from four continents: M. Georges Balandier (France), director of studies at the Ecole Pratique des Hautes Etudes (social aspect); James S. Coleman, University of California (legal aspect); Sir Sydney Caine (United Kingdom), Director of the London School of Economics (economic aspect); M. Gabriel d'Arboussier (Mali), former president of the Grand Counseil de l'Afrique occidentale francaise (political aspect) and M. Charles Ammoun (Lebanon), Lebanese delegate at Unesco, for the cultural aspect. These reports were based on some thirty regional papers prepared by writers from the main Asian, African and American countries.

Dr. Heinrich Luebke, President of the German Federal Republic and Dr. Hans Ehard, President of the Council of Ministers of the Bavarian State were Presidents d'Honneur of the session.

OTHER ACTIVITIES

The Eagleton Foundation for the Study of Practical Politics, Rutgers University, has been reorganized as the Eagleton Institute of Politics. Donald G. Herzberg has been appointed executive director and Paul Tillett assistant director.

A Public Affairs Conference Center has been established at the University of Chicago with Robert A. Goldwin, Lecturer in Political Science and former Director of Research, American Foundation for Continuing Education, as director.

The purpose of the Center is to meet the need for bettering the interchange of ideas and knowledge between responsible men of affairs and men who devote their lives to study. Topics to be discussed at meetings held several times each year will bear on matter of importance to the welfare of the nation, and will have as a main characteristic an immediate relevance to present political life. The meetings will be designed primarily to serve the education of the participants rather than to produce joint statements or reports. The Center will, however, from time to time publish papers and books related to its purposes.

A faculty advisory committee has been set up for the Public Affairs Conference Center with Leo Strauss as chairman; other members are Joseph Cropsey and Herbert Storing, Assistant Professors of Political Science.

The first conference of the Center will be held in January, 1961, on the topic of "Federalism."

With support from the Television Bureau of Advertising, and awards running from $250 up to $4250 (in a 16-to-1 ratio) a competition for *plans* for television research—in its mass communication and human behavior, not engineering, phases—has been announced. Eighteen winning plans are to be published in a book; Emeritus Professor Mark A. May, Psychology, Yale, is Chairman of the Governing Committee. Closing date for entries is March 15, 1961. For further details write to Television Research Plan Competition, 1 Rockefeller Plaza, New York 20, New York.

The Municipal Manpower Commission, under the chairmanship of former U. S. Budget Director James E. Webb, and with Allen E. Pritchard, Jr., who has served several state leagues of municipalities (most recently Kansas), as Director, was organized in June with the aid of a Ford Foundation grant, to undertake an extensive program of research and education, calculated to help meet the great increase foreseen in the need for trained people in municipal administration. The general aim is to strengthen local self-government. "Unless highly qualified personnel who understand the governmental problems of the 1960's are available to administer th affairs of America's exploding urban areas, citizens will look elsewhere for solutions—to state o federal agencies," Mr. Webb said in announcin the Commission's formation. Its office is at 161 K Street, N. W., Washington 6, D.C.

Jacob H. Abers, chief of the Inspection an Classification Division, 12th Region, U. S. Civi Service Commission, has been appointed lecture in the department of political science, Universit of California, Berkeley, for the 1960 fall semeste

Larry Adams has been appointed instructor i political science for the fall semester of 1960 at th University of California, Santa Barbara.

Bernard Brodie, senior staff member of th RAND Corporation, has been awarded a Reflective Year Fellowship for one year by the Carnegi Corporation of New York. His fellowship yea which began on June 30, 1960, will be spen mostly in Paris. Dr. Brodie intends to follow study program oriented round the psychologica causes of war.

Ardath W. Burks has been appointed directo of the Institute of Asian Culture, Rutgers University.

Eugene L. Burdick, associate professor of political science, University of California, Berkeley, i on leave during the current academic year.

Francis M. Carney of the Riverside campus o the University of California is visiting assistan professor of political science at the Berkele campus during 1960–61.

During the spring semester of 1960, Professo P. C. Chakravarti of the University of Jadavpu in Calcutta, India served as visiting professor a Indiana University.

John M. Clauch, professor of government a Southern Methodist University, has been appointed by the Governor of Texas as a member o the newly-created Commission on City an County Governments.

Louis H. Douglas, professor of political scienc at Kansas State University, was awarded a nine months Fulbright grant to lecture in the Philippines.

Harold H. Fisher, professor of history, emeritus, Stanford University, and former chairma of the Hoover Institute and Library, is serving a visiting professor of political science at the University of California, Berkeley, during 1960–61.

Louis L. Friedland served as acting chairman of the department of political science, Wayne State University during the academic year 1959–60.

Paul Geren, formerly with the Department of State and currently executive director of the Dallas Council on World Affairs, will serve as nterim professor of American diplomacy at Southern Methodist University next year.

Federico Gil of the University of North Carolina delivered a series of lectures in Argentina during the month of August and participated in the Congreso Internacional Argentino de Ciencia Politica.

George Ginsburgs of UCLA has been awarded a Social Science Research Council grant to study Soviet Legal Philosophy. He will conduct his research at the Hoover Institute.

Edward M. Goldberg, formerly of the University of New Mexico, has been appointed visiting assistant professor of political science at San Diego State College.

Samuel Halperin, Wayne State University, has been granted an American Political Science Association Congressional Fellowship for 1960–61. He has also received a Wayne State University Research fellowship for the summer of 1960.

Arnold J. Heidenheimer, Wayne State University, has been granted a leave-of-absence for one-year to teach at the University of Florida, Gainesville.

Ralph K. Huitt of the University of Wisconsin is spending 1960–61 on research under a grant from the Rockefeller Foundation.

Harry Kantor is on leave from the University of Florida for the academic year 1960–61 to the Institute of Political Education, San Jose, Costa Rica. He will be on the faculty of the school which is a cooperative school among Latin American countries.

Hans Kelsen, professor of political science, emeritus, of the University of California, Berkeley, has received the Feltrinelli International Prize of $32,000 from the Accademia Nazionale Dei Lincei of Rome, for "his outstanding contribution to the fields of legal science." The award was presented at ceremonies in Rome attended by Giovanni Gronchi, President of the Italian Republic. Professor Kelsen, who taught international law and jurisprudence at Berkeley from 1942 to 1952 has continued to lecture and publish since his retirement.

James B. Kessler, instructor in government at Indiana University, has been granted a leave of absence for the academic year 1960–61 to serve as resident director, Commission on State Tax and Financing Policy, State House, Indianapolis.

Harold D. Lasswell of Yale has become one of five social scientists who are members of a newly established advisory council to the president of the Prudential Insurance Co. The Council will advise on broad trends in American society as they affect Prudential.

Walter H. C. Laves, chairman of the department of government at Indiana University will be on leave of absence during the fall of 1960 to conduct a study for the Department of State and the Advisory Commission on Educational Exchanges.

Harvey C. Mansfield, Jr. joined the political science faculty of the University of California, Berkeley, in September, as acting assistant professor.

Nicholas A. Masters, Wayne State University, has been studying the Congressional Committee structure under a Ford Foundation grant. His leave-of-absence has been extended to permit him to teach at Washington University, St. Louis for the 1960–61 academic year.

R. Stephen Milne, formerly of the University of New Zealand, spent the year 1959–60 as Rockefeller visiting professor at the Institute of Public Administration, University of the Philippines. From September 1960 until January 1961 he will be visiting professor at the Institute of Social Studies, The Hague.

David G. Monroe of the University of North Carolina is a visiting professor in the department of police administration of the University of Indiana for the academic year 1960–61.

Carl C. Moses, assistant professor of political science at Virginia Polytechnic Institute, is on leave of absence for the academic year 1960–61 at the University of Florida.

Herbert J. Muller, distinguished service professor of government and English, Indiana University, was given an honorary degree of Doctor of Literature at Purdue in June 1960.

Grady H. Nunn of the University of Alabama will be visiting assistant professor of government at Indiana University, replacing J. Gus Leibenow, who is on a social science research council grant in Africa for the academic year 1960–61.

William Whatley Pierson, Kenan professor of political science at the University of North Carolina, will be on leave during the academic year 1960–61 in order to serve as acting chancellor of the Woman's College of the University of North Carolina in Greensboro, North Carolina.

Howard Penniman, of the department of government, Georgetown University, assisted Dr. Ivan Hinderaker in conducting the program for political scientists at the Republican National Convention. This program was under the auspices of the Citizenship Clearing House and the Eagleton Foundation.

James W. Prothro of the Florida State University will be visiting professor of political science at the University of North Carolina through August, 1961.

Yosal Rogat, assistant professor of political science, University of California, is on leave during the current year. He is conducting research at the center for the study of democratic institutions at Santa Barbara.

Andrew M. Scott, acting associate professor of political science at the University of North Carolina, has been awarded a Fulbright grant for 1960–61 to teach at the University of Bologna in Italy.

Frank J. Sorauf, assistant professor of political science at the Pennsylvania State University has been granted a leave-of-absence for the year 1960–61, to serve as a visiting associate professor of political science at the University of Arizona.

Murray S. Stedman, Jr., who formerly taugh at Swarthmore College and is at present directo of the Presbyterian Office of Information, las semester taught the course in national government and is currently teaching the course o state and local government at Teachers College Columbia University.

Robert Warren of the University of Californi at Los Angeles has accepted an acting assistan professorship at the University of Washington.

Maurice Waters, Wayne State University, ha been granted a year's leave-of-absence to accep a World Affairs Center Fellowship and will b located in New York City.

William Welch is serving as lecturer in politica science at the University of California, Berkeley during 1960–61.

Henry Wells, associate professor, University o Pennsylvania, will be on leave during the fal semester 1960–61. He has an S.S.R.C. Facult Research Fellowship to complete a study of valu determinants in Puerto Rican politics.

Herbert H. Wood, a member of the departmen of history and government at the University o Maine since 1950, has been granted leave to accept a fellowship in university administration a the University of Michigan during the 1960–6 college year.

APPOINTMENTS AND STAFF CHANGES

Fred F. Abrahams has been appointed assistant professor of political science at the University of Idaho.

Merritt G. Abrash has been appointed instructor for 1960–61 in the department of history, government and international relations, Clark University.

Charles W. Anderson has been appointed an assistant professor at the University of Wisconsin.

John A. Armstrong has been promoted to the rank of professor at the University of Wisconsin.

Douglas E. Ashford was promoted to assistant professor during the spring semester at Indiana University.

Elton Atwater, professor of political science at the Pennsylvania State University, has been appointed head of the department for the period July 1, 1960 to June 30, 1963. He succeeds Professor M. Nelson McGeary, whose term expired June 30, 1960.

Gordon E. Baker has been promoted to the rank of associate professor of political science a the University of California, Santa Barbara.

Rene R. Beauchesne, doctoral candidate a Syracuse University, has been named assistan professor of political science at Creighton University.

George S. Blair, associate professor, formerly o the University of Pennsylvania, has been appointed as associate professor of political science Claremont Graduate School.

Robert O. Byrd at North Park College an Theological Seminary has been promoted to professor and is on leave during the 1960–61 academi year on a Smith-Mundt lectureship at the University College of East Africa, Kampala, Uganda British East Africa.

Byrum C. Carter of Indiana University ha been promoted to full professor.

C. W. Cassinelli of Whitman College has accepted an assistant professorship at the University of Washington.

David A. Cayer has been appointed lecturer in political science, Rutgers University.

M. Gene Chenoweth of the University of Minnesota has been appointed instructor in government at Beloit College for 1960–61.

James M. Clark, a candidate for the Ph.D. degree at the University of Michigan, has accepted an appointment as assistant professor of government at the University of Maine.

Gordon B. Cleveland has been promoted to associate professor at the University of North Carolina.

Bernard C. Cohen has been promoted to the rank of associate professor at the University of Wisconsin.

Alfred Diamant has resigned from the University of Florida and has accepted a position as associate professor of political science at Haverford College.

David Derge of Indiana University has been promoted to associate professor.

Allan Dionisopoulos has been promoted from lecturer to assistant professor at Indiana University.

Jean M. Driscoll has been promoted to associate professor at North Park College and Theological Seminary and is the acting head of the department during the 1960–61 academic year.

After 16 years of service at the University of Utah, Dr. G. Homer Durham has accepted the appointment as president of Arizona State University in Phoenix-Tempe, Arizona. At the University of Utah he served as director of the institute of government, professor and head of the department of political science, becoming academic vice president in 1953. He has served as a member of the Council of the Association and as its representative to the U. S. National Commission for Unesco. He was also a principal founder and first president of the Western Political Science Association. In leaving Utah, he has also submitted his resignation to Governor George D. Clyde as executive commissioner for Utah for the Western Interstate Commission for Higher Education.

Ralph Eisenberg, formerly of the University of South Carolina, has been appointed assistant professor of political science and research associate in the bureau of public administration of the University of Virginia.

Leon D. Epstein has been appointed chairman of the department of political science at the University of Wisconsin.

Glenn W. Ferguson, formerly assistant dean and assistant professor of administration, graduate school of public and international affairs, University of Pittsburgh, has accepted a position as associate in the Washington, D. C. office of McKinsey & Company Inc., management consultants.

Martin Fleisher has been appointed assistant professor at Brooklyn College.

Gerald Freund resigned as assistant professor in the department of political science at Haverford College to become consultant for the social sciences at the Rockefeller Foundation.

Ellen Frey-Wouters has been appointed assistant professor at Brooklyn College.

Lewis A. Froman has been appointed an assistant professor at the University of Wisconsin

D. K. Garde of the University of Poona, India, will be visiting professor in political science during the fall quarter at Emory University.

Walter I. Giles and Jan Karski of the department of government, Georgetown University, have been promoted to the rank of associate professor.

Stephen S. Goodspeed has been promoted to the rank of professor of political science at the University of California, Santa Barbara. He will also continue part-time administrative duties with the position of vice-chancellor for student affairs.

William Griffin, formerly of the State University of South Dakota, has been appointed associate professor of political science and assistant director of the bureau of public administration of the University of Virginia.

Nathan Hakman, recently of the University of Denver, was named associate professor at Harpur College, State University of New York, effective September 1st.

W. Roy Hamilton, University of Maryland, has been appointed instructor in political science at Wayne State University.

Jessie K. Hardie has been appointed assistant professor at the University of Rhode Island.

John A. Hobbs has been appointed instructor in political science at the Pennsylvania State University.

Charles D. Hounshell, associate professor of political science in the department at Emory University, has been recently appointed associate dean of the college at Emory University.

Bernard L. Hyink has resigned as professor of political science at the University of Southern California to become dean of educational services and professor of political science at Orange County State College in Fullerton, California.

Robert Janes has been employed as instructor in government at Southern Methodist University.

James R. Jensen has been appointed chairman of the political science department at the University of Houston.

Cecil Johnson, who was an instructor in government at Texas Technological College last year, has been appointed as assistant professor of government at Southern Methodist University.

Joseph Kingsbury retired as professor of government at Indiana University after fourteen years of continuous service.

David C. Knapp who has just completed a Fulbright research grant on natural resources in Finland has been promoted to assistant to the president at the University of New Hampshire effective July 1, 1960.

Marshall M. Knappen who was a visiting professor at the University of Delaware 1959–60 has been appointed professor in the department of political science there, effective the fall term of 1960.

Emery S. Kobor, candidate for the doctorate at Columbia University, has accepted a position as writer and foreign language expert with the United States Information Agency, Washington, D. C.

Enver M. Koury has been appointed to the overseas program, Atlantic division, of the University of Maryland.

Charles Kunsman has accepted appointment as assistant professor of history and political science at the University of Nevada.

Edgar Lane, who formerly taught at Princeton University, has accepted an appointment as assistant professor of political science at the University of California, Santa Barbara.

Joseph T. Law has accepted an appointment for the year 1960–61 as assistant professor of social science at Eastern Illinois University. He was at Pennsylvania State University.

Robert D. Loevy has been appointed as a lecturer in political science at Goucher College for the academic year 1960–61.

John Brown Mason, professor of government at Georgetown University has resigned to accept a position as professor of political science at the newly established Orange County State College in Fullerton, Calfornia.

H. B. Mayo has resigned from the University of South Carolina to take the position of professor of political science at the University of Western Ontario, London, Canada.

Howell C. McClesky who recently received his doctorate from Harvard has been appointed assistant professor of political science at the University of Houston.

Theodore McNelly, formerly lecturer in the overseas program of the University of Maryland, has been appointed assistant professor of government and politics at the University of Maryland.

Eugene J. Meehan has been promoted to assistant professor of political science, Rutgers University.

Peter H. Merkl has been promoted to the rank of assistant professor of political science at the University of California, Santa Barbara.

Robert W. Miller, Lamar State College, Beaumont, Texas has been appointed instructor in political science at Wayne State University.

John D. Montgomery has completed his tour as a research fellow of the Council of Foreign Relations in New York and is now resident director of the I.C.A. Personnel Training for Africa, African Research and Studies Program, Boston University.

Robert J. Mowitz has been promoted to professor of political science and director of the social science research center at Wayne State University.

Stuart Nagel has been appointed instructor in political science at the Pennsylvania State University for the year 1960–61.

Fred Warner Neal has been promoted to the rank of full professor of international relations and government at the Claremont Graduate School, effective July 1, 1960.

Paul A. Pfretzschner has been appointed head of the department of government and law at Lafayette College. Eugene P. Chase, chairman until September 1, 1960, will continue as Kirby Professor of Civil Rights.

Nelson W. Polsby has been appointed an instructor at the University of Wisconsin.

Joseph M. Ray has resigned as president of Amarillo College to become president of Texas Western College.

Gholam H. Razi has been promoted to the rank of associate professor of political science at the University of Houston. He has also been granted a leave of absence for 1960–61. During this time he will do research in Iran under s social science research council grant.

Ernest C. Reock has been appointed director of the bureau of government research, Rutgers University. He succeeds Bennett M. Rich who will teach full time in the department of political science.

Donald H. Riddle has been promoted to associate research specialist in the Eagleton Institute of Politics, Rutgers University.

Fred W. Riggs has been promoted to professor at Indiana University.

James N. Rosenau has been promoted to associate professor of political science at Douglass College, Rutgers University.

Raymond K. Rossiter has been appointed chairman of the department of social sciences at Rockland Community College, a branch of the State University of New York. He was also awarded a Coe Fellowship for 1960 by the State University.

James S. Schell, who is completing his doctoral dissertation at the University of Wisconsin, has been appointed an instructor at Emory University for the academic year 1960–61.

Harry H. Shapiro has been promoted to associate professor of political science at the College of South Jersey, Rutgers University.

Edgar L. Shor has resigned his position at Indiana University to accept an appointment as assistant professor of political science at the University of Chicago.

Charles Shutz has been appointed instructor in political science at Wayne State University.

William J. Siffin of Indiana University is now associate professor of government.

Suzanne Silk has become instructor in political science at the University of Rhode Island.

Constance E. Smith has been promoted to associate professor of political science in Douglass College, Rutgers University.

Robert F. Smith has resigned his position at Southern Methodist University to accept a position as associate professor of political science at Skidmore College.

Reed M. Smith, University of Pennsylvania has been appointed lecturer in government at the Fels Institute of Local and State Government, University of Pennsylvania for the year 1960–61.

Charles I. Stastny has recently accepted a position as assistant professor of government at Skidmore College. He was formerly at the University of New Hampshire.

Howard Swearer, executive director of the Franklin Delano Roosevelt Memorial Commission, has accepted an appointment as lecturer in the department of political science at the University of California, Los Angeles.

Frank Tachau, assistant professor of history and government, Fort Wayne Center, Purdue University, has been appointed assistant professor of political science, Rutgers University.

Paul Tillett has been promoted to associate professor in the Eagleton Institute of Politics, Rutgers University.

Robert C. Tucker of Indiana University is now professor of government.

Henry A. Turner, associate professor of political science, has been named chairman of the newly created department of political science at the University of California, Santa Barbara.

P. J. Vatikiotis of Indiana University has been promoted to associate professor.

Norman Wengert, who has been serving as deputy director of studies of the Outdoor Recreation Resources Review Commission while on leave from the University of Maryland, has been appointed professor and chairman of the department of political science at Wayne State University.

Aaron B. Wildavsky has been promoted to an assistant professorship at Oberlin College.

Fred Willhoite formerly of Duke University has been appointed instructor of political science at the College of Wooster.

Clyde J. Wingfield has been appointed assistant professor of political science and public administration at the Pennsylvania State University. He had previously been assistant professor of political science at Texas Technological College.

Daniel Wit, formerly visiting associate professor at Indiana University, is now director of international studies, the Governmental Affairs Institute, Washington, D. C.

John J. Wuest, until recently of the department of government, Southern Illinois University, Carbondale, Illinois, has accepted an associate professorship in the department of economics, business, and government, Western Washington College of Education, Bellingham, Washington.

Abraham Yeselson has been promoted to associate professor of political science in University College, Rutgers University.

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